



The Journal OF THE *House of Representatives*

Number 23

Wednesday, February 22, 2012

The House was called to order by the Speaker at 1:00 p.m.

Prayer

The following prayer was offered by the Reverend Anton Elwood of New Mount Zion AME Church of Tallahassee, upon invitation of Rep. Stafford:

Holy and precious God, we thank You for this tremendous and wonderful day that we're enjoying. We, also, thank You for the blessed opportunity to represent the citizens of the state of Florida. Now, God, I'm asking that You would extend the blessing to all who are here that have gathered for this session. I'm asking that You would bless the families that are represented here in a wonderful way, as so many are away from their families to do the work that they have been called and elected to do. I'm asking, O God, that You will lead and guide our thoughts, our minds, and make sure that we are in Your will according to Your deliberations. It's in Your holy, precious, and wonderful name we pray. And everyone said Amen.

Moment of Silence

At the request of Rep. Weinstein, the House observed a moment of silence in memory of Clay County Sheriff's Office Detective David White, who was killed in the line of duty on February 16, 2012.

The following members were recorded present:

Session Vote Sequence: 799

Speaker Cannon in the Chair.

Abruzzo	Costello	Hooper	Pafford
Adkins	Crisafulli	Horner	Passidomo
Ahern	Cruz	Hudson	Patronis
Albritton	Davis	Hukill	Perman
Artiles	Diaz	Ingram	Perry
Aubuchon	Dorworth	Jenne	Pilon
Baxley	Drake	Jones	Plakon
Bembry	Eisnagle	Julien	Porter
Berman	Ford	Kiar	Porth
Bernard	Fresen	Kreegel	Precourt
Bileca	Frishe	Kriseman	Proctor
Boyd	Fullwood	Legg	Randolph
Brandes	Gaetz	Logan	Ray
Brodeur	Garcia	Lopez-Cantera	Reed
Broxson	Gibbons	Mayfield	Rehwinkel Vasilinda
Bullard	Glorioso	McBurney	Renuart
Burgin	Gonzalez	McKeel	Roberson, K.
Caldwell	Goodson	Metz	Rogers
Campbell	Grant	Moraitis	Rooney
Cannon	Grimsley	Nehr	Rouson
Chestnut	Hager	Nelson	Sands
Clarke-Reed	Harrell	Nuñez	Saunders
Coley	Harrison	O'Toole	Schenck
Corcoran	Holder	Oliva	Schwartz

Slosberg	Steinberg	Trujillo	Williams, A.
Smith	Steube	Van Zant	Wood
Snyder	Taylor	Waldman	Workman
Soto	Thompson, G.	Watson	Young
Stafford	Thurston	Weatherford	
Stargel	Tobia	Weinstein	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Emily Adkins of Fernandina Beach at the invitation of Rep. Adkins; Maddie Aubuchon of Cape Coral at the invitation of Rep. Aubuchon; Nic Barrett of Tallahassee at the invitation of Rep. A. Williams; Kaela Carpenter of Gulf Breeze at the invitation of Rep. Ford; Gabe Cendella of Tallahassee at the invitation of Rep. Frishe; Davis Chiamonte of Tampa at the invitation of Rep. Harrison; and Arie Fry of Plant City at the invitation of Rep. Glorioso.

Correction of the *Journal*

The *Journal* of February 16, February 20, and February 21 was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Dean Cannon February 20, 2012
Speaker, House of Representatives

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Wednesday, February 22, 2012. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

HB 4125 - Stargel
Judges
HB 4155 - Stargel
Declaratory Judgments
HB 4157 - Stargel
District Courts of Appeal

HB 4133 - Gaetz
District Courts of Appeal

HB 7113 - Finance & Tax Committee, Precourt
Additional Ad Valorem Tax Exemption for Deployed
Servicemembers

CS/HB 7099 - Appropriations Committee, Finance & Tax
Committee, & others
Tax Administration

HB 7103 - Government Operations Subcommittee, Mayfield
OGSR/Florida Opportunity Fund and Institute for the
Commercialization of Public Research

HB 7105 - Government Operations Subcommittee, Mayfield
OGSR/Florida Workers' Compensation Joint Underwriting
Association, Inc.

HB 7107 - Government Operations Subcommittee, Mayfield
OGSR/Consumer Complaints and Inquiries

HB 7109 - Government Operations Subcommittee, Mayfield
OGSR/Lifeline Assistance Plan

HB 7033 - Government Operations Subcommittee, Broxson
OGSR/Personal Injury Protection and Property Damage
Liability Insurance Policies

HB 7017 - Government Operations Subcommittee, Broxson
OGSR/Donor Information/Historic Preservation of City of St.
Augustine

HB 7015 - Government Operations Subcommittee, Moraitis
OGSR/Donor Information/Publicly Owned House Museums

HB 7035 - Government Operations Subcommittee, Roberson, K.
OGSR/Physician Workforce Surveys

HB 7037 - Government Operations Subcommittee, Roberson, K.
OGSR/Sunshine State One-Call of Florida, Inc.

CS/HB 7043 - Economic Affairs Committee, Government
Operations Subcommittee, & others
Obsolete or Outdated Programs and Requirements

CS/HB 7115 - State Affairs Committee, Government Operations
Subcommittee, & others
OGSR/Economic Development Agencies

CS/HB 7079 - State Affairs Committee, Government Operations
Subcommittee, & others
State Retirement

CS/HB 7025 - State Affairs Committee, Agriculture & Natural
Resources Subcommittee, & others
Fish and Wildlife Conservation Commission

HB 4123 - Burgin, Williams, T.
Federal Environmental Permitting

II. Consideration of the following bills:

HB 7049 - Judiciary Committee, Snyder, & others
Human Trafficking

CS/HB 7095 - Appropriations Committee, Judiciary Committee,
& others
Clerks of Court

CS/CS/HB 313 - Judiciary Committee, Agriculture & Natural
Resources Subcommittee, & others
Premises Liability

CS/HB 7069 - Appropriations Committee, Economic Affairs
Committee, & others
Economic Development Tax Refund Programs

HB 7075 - Community & Military Affairs Subcommittee,
Workman
Military Installations

CS/CS/HB 15 - Economic Affairs Committee, Transportation &
Highway Safety Subcommittee, & others
Transportation Facility Designations

CS/HB 289 - Economic Affairs Committee, Renuart, & others
Transportation Facility Designations

CS/CS/HB 7065 - Economic Affairs Committee, State Affairs
Committee, & others
Pub. Rec./Personal Identifying Information/Toll Facilities

CS/HB 7039 - Economic Affairs Committee, Transportation &
Highway Safety Subcommittee, & others
Transportation Facility Designations

CS/CS/HB 1229 - Health & Human Services Committee, Health
& Human Services Access Subcommittee, & others
Reorganization of the Department of Children and Family
Services

III. Consideration of the following bills:

CS/CS/HB 787 - Health & Human Services Committee, Health
& Human Services Quality Subcommittee, & others
Nursing Home Facilities

CS/CS/HB 897 - Judiciary Committee, Civil Justice
Subcommittee, & others
Construction Contracting

CS/HB 1287 - Economic Affairs Committee, Abruzzo, & others
Voluntary Contributions on Registration, Driver License, and
Identification Card Forms

CS/HB 809 - Finance & Tax Committee, Grant, & others
Communications Services Taxes

CS/HB 655 - Health & Human Services Committee, Coley
Biomedical Research

CS/CS/HB 99 - Health & Human Services Committee, Health &
Human Services Access Subcommittee, & others
Sexual Exploitation

CS/HB 465 - PreK-12 Appropriations Subcommittee, Diaz, &
others
District School Board Bonds

CS/CS/HB 749 - Agriculture & Natural Resources
Appropriations Subcommittee, Business & Consumer Affairs
Subcommittee, & others
Consumer Services

CS/CS/HB 565 - Judiciary Committee, Civil Justice
Subcommittee, & others
Family Law

CS/HB 291 - Health & Human Services Access Subcommittee,
Renuart, & others
Youth Athletes

CS/HB 479 - Health & Human Services Quality Subcommittee,
O'Toole, & others
Animal Control

CS/CS/HB 1009 - Transportation & Economic Development
Appropriations Subcommittee, Transportation & Highway
Safety Subcommittee, & others
Low-Speed Vehicles

CS/CS/HB 1379 - State Affairs Committee, Energy & Utilities
Subcommittee, & others
Water and Wastewater Utilities

CS/CS/HB 1237 - State Affairs Committee, Rulemaking &
Regulation Subcommittee, & others
Department of Citrus

HB 1239 - Albritton, Crisafulli, & others
Pub. Rec./Department of Citrus

CS/CS/HB 1089 - State Affairs Committee, Government
Operations Subcommittee, & others
Pub. Rec./Agency Personnel Information

CS/HB 1197 - State Affairs Committee, Horner, & others
Agriculture

CS/CS/HB 449 - Community & Military Affairs Subcommittee,
Agriculture & Natural Resources Subcommittee, & others
Public Fairs and Expositions

IV. Consideration of the following bills:

CS/HB 621 - Health & Human Services Committee, Frishe, &
others
Nursing Homes and Related Health Care Facilities

CS/CS/HB 1443 - Community & Military Affairs
Subcommittee, Criminal Justice Subcommittee, & others
Local Administrative Action to Abate Public Nuisances and
Criminal Gang Activity

HB 221 - Nehr, Patronis, & others
Business Enterprise Opportunities for Wartime Veterans

CS/HB 1357 - K-20 Competitiveness Subcommittee, Glorioso
District School Boards

CS/HB 409 - Insurance & Banking Subcommittee, Hooper
Alien Insurers

HB 393 - Broxson
Recreational Vehicle Dealers

CS/CS/HB 729 - Judiciary Committee, Criminal Justice
Subcommittee, & others
Hiring, Leasing, or Obtaining Personal Property or Equipment
with the Intent to Defraud

CS/HB 691 - Agriculture & Natural Resources Subcommittee,
Frishe, & others
Beach Management

CS/CS/HB 887 - Economic Affairs Committee, Business &
Consumer Affairs Subcommittee, & others
Business and Professional Regulation

CS/HB 1331 - Criminal Justice Subcommittee, Wood, & others
Property Fraud

CS/HB 1227 - Judiciary Committee, Drake, & others
Certification of 911 Public Safety Telecommunicators

CS/CS/HB 521 - Community & Military Affairs Subcommittee,
Business & Consumer Affairs Subcommittee, & others
State Preemption of the Regulation of Hoisting Equipment

CS/CS/CS/HB 599 - Economic Affairs Committee,
Transportation & Economic Development Appropriations
Subcommittee, & others
Transportation and Mitigation Programs

CS/HB 715 - Civil Justice Subcommittee, Caldwell
Self-service Storage Facilities

CS/HB 59 - Business & Consumer Affairs Subcommittee, Ray,
& others
Spaceport Territory

CS/CS/HB 135 - Judiciary Committee, Justice Appropriations
Subcommittee, & others
Costs of Prosecution, Investigation, and Representation

CS/HB 249 - Government Operations Appropriations
Subcommittee, Bemby
Public Lodging Establishments

CS/CS/CS/HB 943 - Health & Human Services Committee,
Criminal Justice Subcommittee, & others
Background Screening

CS/HB 935 - Civil Justice Subcommittee, Baxley
Child Support Enforcement

CS/CS/HB 373 - State Affairs Committee, Agriculture & Natural
Resources Subcommittee, & others
Environmental Permits

V. Consideration of the following bills:

HB 1177 - Ingram, Broxson
Campaign Financing

CS/CS/HB 549 - Judiciary Committee, Civil Justice
Subcommittee, & others
Dissolution of Marriage

CS/HJR 55 - Finance & Tax Committee, Nuñez, & others
Homestead Assessment Limitation/Senior Citizens

CS/CS/HB 379 - Economic Affairs Committee, Insurance &
Banking Subcommittee, & others
Captive Insurance

CS/HJR 169 - Finance & Tax Committee, Oliva, & others
Additional Homestead Tax Exemption for Seniors

CS/HB 357 - Finance & Tax Committee, Oliva, & others
Homestead Exemptions for Seniors

CS/HB 639 - State Affairs Committee, Young, & others
Reclaimed Water

HB 1491 - Eisnagle
Capital Formation for Infrastructure Projects

CS/CS/HB 1065 - Economic Affairs Committee, Insurance & Banking Subcommittee, & others
Annuities

CS/CS/HB 1119 - Economic Affairs Committee, Finance & Tax Committee, & others
New Markets Development Program

HB 231 - Homer
Intergovernmental Cooperation

HB 331 - Patronis
Career and Adult Education

CS/CS/HB 1011 - Government Operations Appropriations Subcommittee, Insurance & Banking Subcommittee, & others
Warranty Associations

HB 1127 - Albritton
Citizens Property Insurance Corporation

CS/HB 31 - Criminal Justice Subcommittee, Rooney, & others
Protest Activities

HB 347 - Harrell, Gaetz, & others
College Credit for Military Training and Education Courses

CS/CS/HB 645 - Government Operations Subcommittee, Insurance & Banking Subcommittee, & others
Pub. Rec./Title Insurance Data/Office of Insurance Regulation

CS/CS/HB 663 - Agriculture & Natural Resources Appropriations Subcommittee, Agriculture & Natural Resources Subcommittee, & others
Solid Waste Management Facilities

CS/HJR 1003 - Economic Affairs Committee, Eisnagle
Tangible Personal Property Tax Exemptions & Ad Valorem Tax Relief

CS/HB 1165 - Economic Affairs Committee, McBurney
Identification Cards and Driver Licenses

CS/HB 401 - Judiciary Committee, Moraitis
Effect of Dissolution or Annulment of Marriage on Certain Designations

VI. Consideration of the following bills:

CS/HB 827 - Agriculture & Natural Resources Subcommittee, Porter, & others
Limited Agricultural Associations

CS/HB 1339 - Government Operations Subcommittee, Chestnut
Envelopes Used to Conceal the Voter's Choices

CS/CS/HB 1193 - Judiciary Committee, Criminal Justice Subcommittee, & others
Pub. Rec./Victims of Violence

HB 733 - Kiar
Probate

CS/HJR 785 - Economic Affairs Committee, Wood, & others
Term Limits/County Commissioners

VII. Consideration of the following bills:

CS/CS/HB 529 - Health & Human Services Committee, Health & Human Services Access Subcommittee, & others
Adult Day Care Centers

CS/CS/HB 667 - Judiciary Committee, Criminal Justice Subcommittee, & others
Murder

CS/HB 45 - K-20 Innovation Subcommittee, Smith, & others
Postsecondary Education Course Registration for Veterans

CS/HB 171 - Health & Human Services Quality Subcommittee, Trujillo, & others
Osteopathic Physicians

CS/HB 463 - Agriculture & Natural Resources Subcommittee, Kreegel, & others
Concealed Weapons or Firearms

CS/CS/CS/HB 1001 - Economic Affairs Committee, Judiciary Committee, & others
Timeshares

CS/HB 1305 - Government Operations Appropriations Subcommittee, Adkins
Pub. Rec./Officers-Elect

CS/HB 1277 - Insurance & Banking Subcommittee, Davis
Money Services Businesses

CS/CS/CS/CS/HB 503 - State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, & others
Environmental Regulation

CS/HB 1013 - Civil Justice Subcommittee, Artiles
Residential Construction Warranties

CS/CS/HB 801 - Finance & Tax Committee, Community & Military Affairs Subcommittee, & others
Emergency 911 Service

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Gary Aubuchon, Chair
Rules & Calendar Committee

On motion by Rep. Aubuchon, the above report was adopted.

Bills and Joint Resolutions on Third Reading

CS/CS/HB 1175—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances or that contain any of these substances' salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of certain such controlled substances; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the third time by title.

Representative Ingram offered the following:

(Amendment Bar Code: 732803)

Amendment 1—Remove lines 136-238 and insert:
71. N,N-Diallyl-5-Methoxytryptamine.

72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).
 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
 82. Ethcathinone.
 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
 84. Naphyrone (naphthylpyrovalerone).
 85. N-N-Dimethyl-3,4-methylenedioxycathinone.
 86. N-N-Diethyl-3,4-methylenedioxycathinone.
 87. 3,4-methylenedioxy-propiofenone.
 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
 89. 3,4-methylenedioxy-propiofenone-2-oxime.
 90. N-Acetyl-3,4-methylenedioxycathinone.
 91. N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
 93. Bromomethcathinone.
 94. Buphedrone (alpha-methylamino-butyrophenone).
 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
 96. Dimethylcathinone.
 97. Dimethylmethcathinone.
 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
 99. (MDPPP) 3,4-Methylenedioxy-alpha-pyrrolidinopropiofenone.
 100. (MDPBP) 3,4-Methylenedioxy-alpha-pyrrolidinobutiophenone.
 101. Methoxy-alpha-pyrrolidinopropiofenone (MOPPP).
 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
 103. Benocyclidine (BCP) or benzothiophenylcyclohexylpiperidine (BTCP).
 104. Fluoromethylaminobutyrophenone (F-MABP).
 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
 108. Methylaminobutyrophenone (Me-EABP).
 109. Methylamino-butyrophenone (MABP).
 110. Pyrrolidinopropiofenone (PPP).
 111. Pyrrolidinobutiophenone (PBP).
 112. Pyrrolidinovalerophenone (PVP).
 113. Methyl-alpha-pyrrolidinopropiofenone (MPPP).
 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).
 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-yl)methanone).
 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-yl)methanone).
 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).
 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-indole).
 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone).
 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone).
 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone).
 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone).
 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).
 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
 131. HU-308 ((1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl methanol).

132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione).
 133. CB-13 (Naphthalen-1-yl-(4-pentylloxynaphthalen-1-yl)methanone).
 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-undecanamide).
 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-undecanamide).
 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-iodophenylmethanone).
 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone).
 139. RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-yl)methanone).
 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenylethanone).
 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone).
 142. WIN55,212-3 ([3S)-2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone).

Rep. Ingram moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/CS/HB 1175. The vote was:

Session Vote Sequence: 800

Speaker Cannon in the Chair.

Yeas—118

Abruzzo	Drake	Logan	Rooney
Adkins	Eisnagle	Lopez-Cantera	Rouson
Ahern	Ford	Mayfield	Sands
Albritton	Fresen	McBurney	Saunders
Artiles	Frishe	McKeel	Schenck
Aubuchon	Fullwood	Metz	Schwartz
Baxley	Gaetz	Moraitis	Slosberg
Bembry	Garcia	Nehr	Smith
Berman	Gibbons	Nelson	Snyder
Bernard	Glorioso	Núñez	Soto
Bileca	Gonzalez	O'Toole	Stafford
Boyd	Goodson	Oliva	Stargel
Brandes	Grant	Pafford	Steinberg
Brodeur	Grimsley	Passidomo	Steube
Broxson	Hager	Patronis	Taylor
Bullard	Harrell	Perman	Thompson, G.
Burgin	Harrison	Perry	Thurston
Caldwell	Holder	Pilon	Tobia
Campbell	Hooper	Plakon	Trujillo
Cannon	Horner	Porter	Van Zant
Chestnut	Hudson	Porth	Waldman
Clarke-Reed	Hukill	Precourt	Watson
Coley	Ingram	Proctor	Weatherford
Corcoran	Jenne	Randolph	Weinstein
Costello	Jones	Ray	Williams, A.
Crisafulli	Julien	Reed	Wood
Cruz	Kiar	Rehwinkel	Workman
Davis	Kreegel	Renuart	Young
Diaz	Kriseman	Roberson, K.	
Dorworth	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Clemens

So the bill passed, as amended, and was certified to the Senate after engrossment.

Special Orders

HB 4125—A bill to be entitled An act relating to judges; repealing s. 38.13, F.S., relating to selection of judges ad litem in circuit or county court; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 4155—A bill to be entitled An act relating to declaratory judgments; repealing s. 86.081, F.S., relating to a grant of authority to the courts to award equitable costs in declaratory judgment proceedings; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 4157—A bill to be entitled An act relating to district courts of appeal; repealing s. 35.13, F.S., relating to requirements for a quorum and requiring a majority for a decision; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 4133—A bill to be entitled An act relating to district courts of appeal; repealing s. 35.07, F.S., relating to the district courts of appeal's authority to make rules and regulations for their internal government; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7113—A bill to be entitled An act relating to the additional ad valorem tax exemption for deployed servicemembers; amending s. 196.173, F.S.; authorizing servicemembers who receive a homestead exemption and who are deployed in certain military operations to receive an additional ad valorem tax exemption; providing a deadline for claiming tax exemptions for qualifying deployments during the 2011 calendar year; providing procedures and requirements for filing applications and petitions to receive the tax exemption after expiration of the deadline; providing application; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7099—A bill to be entitled An act relating to tax administration; amending s. 211.3103, F.S.; revising the rate for the tax on severance of phosphate rock; revising requirements relating to the imposition, collection, distribution, and use of such tax; amending s. 212.07, F.S.; conforming a cross-reference to changes made by the act; subjecting a dealer to monetary and criminal penalties for the willful failure to collect certain taxes or fees after notice of the duty to collect the taxes or fees by the Department of Revenue; amending s. 212.12, F.S.; deleting provisions relating to the imposition of criminal penalties after notice by the Department of Revenue of requirements to register as a dealer or to collect taxes; making technical and grammatical changes to provisions specifying penalties for making a false or fraudulent return with the intent to evade payment of a tax or fee; amending s. 212.14, F.S.; defining the term "person"; authorizing the Department of Revenue to adopt rules relating to requirements for a person to deposit cash, a bond, or other security with the department in order to ensure compliance with sales tax laws; making technical and grammatical changes; amending s. 212.18, F.S.; subjecting a person to criminal penalties for willfully failing to register as a dealer after notice of the duty to register by the Department of Revenue; making technical and grammatical changes; amending s. 213.13, F.S.; revising the due date for funds collected by the clerks of court to be transmitted to the Department of Revenue; providing retroactive application; creating s. 213.295, F.S.; providing definitions; subjecting a person to criminal

penalties and monetary penalties for knowingly selling or engaging in certain other actions involving an automated sales suppression device, zipper, or phantom-ware; defining sales suppression devices and phantom-ware as contraband articles under the Florida Contraband Forfeiture Act; amending s. 220.153, F.S.; redefining the term "qualified capital expenditures" for purposes of apportionment by sales factor; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to release photographs or digital images to the Department of Revenue in order to identify individuals for purposes of tax administration; amending s. 443.131, F.S.; imposing a requirement on employers to produce records for the Department of Economic Opportunity or its tax collection service provider as a prerequisite for a reduction in the rate of unemployment tax; amending s. 443.141, F.S.; providing a method to calculate the interest rate for past due contributions and reimbursements, and delinquent, erroneous, incomplete, or insufficient reports; providing effective dates.

—was read the second time by title.

Representative Precourt offered the following:

(Amendment Bar Code: 839637)

Amendment 1 (with title amendment)—Remove lines 58-292 and insert: Section 1. Section 211.3103, Florida Statutes, is amended to read: 211.3103 Levy of tax on severance of phosphate rock; rate, basis, and distribution of tax.—

(1) There is hereby levied an excise tax upon every person engaging in the business of severing phosphate rock from the soils or waters of this state for commercial use. The tax shall be collected, administered, and enforced by the department.

(2) Beginning January 1, 2013, the tax rate shall be \$1.61 per ton severed, except for the time period from January 1, 2015 to December 31, 2022 when the tax rate shall be \$1.80 per ton severed.

~~(2) Beginning July 1, 2004, the proceeds of all taxes, interest, and penalties imposed under this section shall be paid into the State Treasury as follows:~~

~~(a) The first \$10 million in revenue collected from the tax during each fiscal year shall be paid to the credit of the Conservation and Recreation Lands Trust Fund.~~

~~(b) The remaining revenues collected from the tax during that fiscal year, after the required payment under paragraph (a), shall be paid into the State Treasury as follows:~~

~~1. To the credit of the General Revenue Fund of the state, 40.1 percent.~~

~~2. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 16.5 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate related expenses.~~

~~3. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 13 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.~~

~~4. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 9.3 percent.~~

~~5. To the credit of the Minerals Trust Fund, 10.7 percent.~~

~~6. To the credit of the Nonmandatory Land Reclamation Trust Fund, 10.4 percent.~~

~~(3) Beginning July 1, 2003, and annually thereafter, the Department of Environmental Protection may use up to \$2 million of the funds in the Nonmandatory Land Reclamation Trust Fund to purchase a surety bond or a policy of insurance, the proceeds of which would pay the cost of restoration,~~

reclamation, and cleanup of any phosphogypsum stack system and phosphate mining activities in the event that an operator or permittee thereof has been subject to a final order of bankruptcy and all funds available therefrom are determined to be inadequate to accomplish such restoration, reclamation, and cleanup. This section does not imply that such operator or permittee is thereby relieved of its obligations or relieved of any liabilities pursuant to any other remedies at law, administrative remedies, statutory remedies, or remedies pursuant to bankruptcy law. The department shall adopt rules to implement this subsection, including the purchase and oversight of the bond or policy.

(4) Funds distributed pursuant to subparagraphs (2)(b)3. and (11)(c)4. shall be used for:

(a) Planning, preparing, and financing of infrastructure projects for job creation and capital investment, especially those related to industrial and commercial sites. Infrastructure investments may include the following public or public-private partnership facilities: stormwater systems; telecommunications facilities; roads or other remedies to transportation impediments; nature based tourism facilities; or other physical requirements necessary to facilitate trade and economic development activities.

(b) Maximizing the use of federal, local, and private resources, including, but not limited to, those available under the Small Cities Community Development Block Grant Program.

(c) Projects that improve inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth, if such projects are related to specific job creation or job retention opportunities.

(5) Beginning January 1, 2004, the tax rate shall be the base rate of \$1.62 per ton severed.

(6) Beginning January 1, 2005, and annually thereafter, the tax rate shall be the base rate times the base rate adjustment for the tax year as calculated by the department in accordance with subsection (8).

(3)(7) The excise tax levied by this section shall apply to the total production of the producer during the taxable year, measured on the basis of bone-dry tons produced at the point of severance.

(8)(a) On or before March 30, 2004, and annually thereafter, the department shall calculate the base rate adjustment, if any, for phosphate rock based on the change in the unadjusted annual producer price index for the prior calendar year in relation to the unadjusted annual producer price index for calendar year 1999.

(b) For the purposes of determining the base rate adjustment for any year, the base rate adjustment shall be a fraction, the numerator of which is the unadjusted annual producer price index for the prior calendar year and the denominator of which is the unadjusted annual producer price index for calendar year 1999.

(c) The department shall provide the base rate, the base rate adjustment, and the resulting tax rate to affected producers by written notice on or before April 15 of the current year.

(d) If the producer price index for phosphate rock is substantially revised, the department shall make appropriate adjustment in the method used to compute the base rate adjustment under this subsection which will produce results reasonably consistent with the result that would have been obtained if the producer price index for phosphate rock had not been revised. However, the tax rate shall not be less than \$1.51 per ton severed.

(e) If the producer price index for phosphate rock is discontinued, a comparable index shall be selected by the department and adopted by rule.

(4)(9) The excise tax levied on the severance of phosphate rock shall be in addition to any ad valorem taxes levied upon the separately assessed mineral interest in the real property upon which the site of severance is located, or any other tax, permit, or license fee imposed by the state or its political subdivisions.

(5)(40) The tax levied by this section shall be collected in the manner prescribed in s. 211.33.

(11)(a) Beginning July 1, 2008, there is hereby levied a surcharge of \$1.38 per ton severed in addition to the excise tax levied by this section. The surcharge shall be levied until the last day of the calendar quarter in which the total revenue generated by the surcharge equals \$60 million. Revenues derived from the surcharge shall be deposited into the Nonmandatory Land Reclamation Trust Fund and shall be exempt from the general revenue service charge provided in s. 215.20. Revenues derived from the surcharge

shall be used to augment funds appropriated for the rehabilitation, management, and closure of the Piney Point and Mulberry sites and for approved reclamation of nonmandatory lands in accordance with chapter 378. A minimum of 75 percent of the revenues from the surcharge shall be dedicated to the Piney Point and Mulberry sites.

(b) Beginning July 1, 2008, the excise tax rate shall be \$1.945 per ton severed and the base rate adjustment provided in subsection (6) shall not apply.

(c)1. Beginning July 1 of the 2010-2011 fiscal year, the tax rate shall be the base rate of \$1.71 per ton severed.

2. Beginning July 1 of the 2011-2012 fiscal year, the tax rate shall be the base rate of \$1.61 per ton severed.

3. The base rate adjustment provided in subsection (6) shall not apply until the conditions of paragraph (d) are met.

(d) Beginning July 1 of the fiscal year following the date on which a taxpayer's surcharge offset equals or exceeds the total amount of surcharge remitted by such taxpayer under paragraph (a), and each year thereafter, the excise tax rate levied on such taxpayer shall be adjusted as provided in subsection (6). The surcharge offset for each taxpayer is an amount calculated by the department equal to the cumulative difference between the amount of excise tax that would have been collected under subsections (5) and (6) and the excise tax collected under subparagraphs (c)1. and 2. from such taxpayer.

(e) Beginning July 1 of the 2010-2011 fiscal year, the proceeds of all taxes, interest, and penalties imposed under this section shall be exempt from the general revenue service charge provided in s. 215.20, and shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 21.9 percent.

2. To the credit of the General Revenue Fund of the state, 37.1 percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 12 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 9.4 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 5.8 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 5.8 percent.

7. To the credit of the Minerals Trust Fund, 8.0 percent.

(6)(a)(4) Beginning July 1 of the 2011-2012 fiscal year, the proceeds of all taxes, interest, and penalties imposed under this section are exempt from the general revenue service charge provided in s. 215.20, and such proceeds shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 25.5 percent.

2. To the credit of the General Revenue Fund of the state, 35.7 percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 12.8 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated as a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 10.0 percent. The department shall

distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 6.2 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 6.2 percent.

7. To the credit of the Minerals Trust Fund, 3.6 percent.

(b) Notwithstanding paragraph (a), from January 1, 2015, until December 31, 2022, the proceeds of all taxes, interest, and penalties imposed under this section are exempt from the general revenue service charge provided in s. 215.20, and such proceeds shall be paid to the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 22.8 percent.

2. To the credit of the General Revenue Fund of the state, 31.9 percent.

3. For payment to counties pursuant to subparagraph (a)3., 11.5 percent.

4. For payment to counties pursuant to subparagraph (a)4., 8.9 percent.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 16.1 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 5.6 percent.

7. To the credit of the Minerals Trust Fund, 3.2 percent.

(c)(e) For purposes of this section, "phosphate-related expenses" means those expenses that provide for infrastructure or services in support of the phosphate industry, reclamation or restoration of phosphate lands, community infrastructure on such reclaimed lands, and similar expenses directly related to support of the industry.

TITLE AMENDMENT

Remove lines 3-6 and insert:

211.3103, F.S.; revising rate calculation procedures for the tax on severance of phosphate rock; revising the distribution for the tax on severance of phosphate rock; amending s. 212.07, F.S.;

Rep. Precourt moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 896811)

Amendment 2 (with title amendment)—Between lines 771 and 772, insert:

Section 10. Subsection (5) of section 336.021, Florida Statutes, is amended to read:

336.021 County transportation system; levy of ninth-cent fuel tax on motor fuel and diesel fuel.—

(5) All impositions of the tax shall be levied before October ~~July~~ 1 of each year to be effective January 1 of the following year. However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate to be effective September 1 of the year of expiration. All impositions shall be required to end on December 31 of a year. A decision to rescind the tax shall not take effect on any date other than December 31 and shall require a minimum of 60 days' notice to the department of such decision.

Section 11. Paragraphs (a) and (b) of subsection (1) and paragraph (a) of subsection (5) of section 336.025, Florida Statutes, are amended to read:

336.025 County transportation system; levy of local option fuel tax on motor fuel and diesel fuel.—

(1)(a) In addition to other taxes allowed by law, there may be levied as provided in ss. 206.41(1)(e) and 206.87(1)(c) a 1-cent, 2-cent, 3-cent, 4-cent, 5-cent, or 6-cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in a county and taxed under the provisions of part I or part II of chapter 206.

1. All impositions and rate changes of the tax shall be levied before October ~~July~~ 1 to be effective January 1 of the following year for a period not to exceed 30 years, and the applicable method of distribution shall be established pursuant to subsection (3) or subsection (4). However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate effective September 1 of the year of expiration. Upon expiration, the tax may be relieved provided that a redetermination of the method of distribution is made as provided in this section.

2. County and municipal governments shall utilize moneys received pursuant to this paragraph only for transportation expenditures.

3. Any tax levied pursuant to this paragraph may be extended on a majority vote of the governing body of the county. A redetermination of the method of distribution shall be established pursuant to subsection (3) or subsection (4), if, after July 1, 1986, the tax is extended or the tax rate changed, for the period of extension or for the additional tax.

(b) In addition to other taxes allowed by law, there may be levied as provided in s. 206.41(1)(e) a 1-cent, 2-cent, 3-cent, 4-cent, or 5-cent local option fuel tax upon every gallon of motor fuel sold in a county and taxed under the provisions of part I of chapter 206. The tax shall be levied by an ordinance adopted by a majority plus one vote of the membership of the governing body of the county or by referendum.

1. All impositions and rate changes of the tax shall be levied before October ~~July~~ 1, to be effective January 1 of the following year. However, levies of the tax which were in effect on July 1, 2002, and which expire on August 31 of any year may be reimposed at the current authorized rate effective September 1 of the year of expiration.

2. The county may, prior to levy of the tax, establish by interlocal agreement with one or more municipalities located therein, representing a majority of the population of the incorporated area within the county, a distribution formula for dividing the entire proceeds of the tax among county government and all eligible municipalities within the county. If no interlocal agreement is adopted before the effective date of the tax, tax revenues shall be distributed pursuant to the provisions of subsection (4). If no interlocal agreement exists, a new interlocal agreement may be established prior to June 1 of any year pursuant to this subparagraph. However, any interlocal agreement agreed to under this subparagraph after the initial levy of the tax or change in the tax rate authorized in this section shall under no circumstances materially or adversely affect the rights of holders of outstanding bonds which are backed by taxes authorized by this paragraph, and the amounts distributed to the county government and each municipality shall not be reduced below the amount necessary for the payment of principal and interest and reserves for principal and interest as required under the covenants of any bond resolution outstanding on the date of establishment of the new interlocal agreement.

3. County and municipal governments shall use moneys received pursuant to this paragraph for transportation expenditures needed to meet the requirements of the capital improvements element of an adopted comprehensive plan or for expenditures needed to meet immediate local transportation problems and for other transportation-related expenditures that are critical for building comprehensive roadway networks by local governments. For purposes of this paragraph, expenditures for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads shall be deemed to increase capacity and such projects shall be included in the capital improvements element of an adopted comprehensive plan. Expenditures for purposes of this paragraph shall not include routine maintenance of roads.

(5)(a) By October ~~July~~ 1 of each year, the county shall notify the Department of Revenue of the rate of the taxes levied pursuant to paragraphs (1)(a) and (b), and of its decision to rescind or change the rate of a tax, if applicable, and shall provide the department with a certified copy of the interlocal agreement established under subparagraph (1)(b)2. or subparagraph (3)(a)1. with distribution proportions established by such agreement or pursuant to subsection (4), if applicable. A decision to rescind a tax ~~may shall~~ not take effect on any date other than December 31 and ~~requires shall require~~ a minimum of 60 days' notice to the Department of Revenue of such decision.

TITLE AMENDMENT

Remove line 46 and insert:

of tax administration; amending s. 336.021, F.S.; revising the date when imposition of the ninth-cent fuel tax will be levied; amending s. 336.025, F.S.; revising the date when impositions and rate changes of the local option fuel tax shall be levied; amending s. 443.131, F.S.;

Rep. Horner moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7103—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 288.9626, F.S., which provides exemptions from public record and open meeting requirements for the Florida Opportunity Fund and the Institute for the Commercialization of Public Research; reorganizing the exemptions by removing references to the Institute for the Commercialization of Public Research and relocating the exemptions relating to the institute in a new statute; saving the exemptions from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemptions; revising definitions; clarifying that the exemptions pertaining to the Florida Opportunity Fund apply to prospective investments, alternative investments, and certain proprietary confidential information provided by a proprietor; reducing the time period during which proprietary confidential business information is confidential and exempt from disclosure; creating s. 288.9627, F.S.; providing exemptions from public record and open meeting requirements for the Institute for the Commercialization of Public Research which are relocated from s. 288.9626, F.S.; providing definitions; providing an exemption from public record requirements for materials relating to methods of manufacturing, trade secrets, patents, and research by universities or other publically supported organizations, materials supplied by a proprietor, information that would identify investors or potential investors, and information that is confidential and exempt under other laws; reducing the time period during which proprietary confidential business information is confidential and exempt from disclosure; providing an exemption from public meeting requirements for portions of meetings of the institute's board of directors at which confidential and exempt information is discussed; requiring the recording and transcription of closed meetings; providing an exemption from public record requirements for transcripts and minutes of exempt portions of meetings of the institute's board of directors; specifying procedure by which a proprietor of information may prevent the disclosure of proprietary confidential business information when a request for such information is made to the institute; authorizing a person to petition a court in Palm Beach County or Alachua County for the release of confidential and exempt information; requiring a court to make specific findings before the information may be released; providing criminal penalties for willful and knowing violation of public record or public meeting exemptions pertaining to the institute; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7105—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 627.3121, F.S., which provides an exemption from public records requirements for certain records held by the Florida Workers' Compensation Joint Underwriting Association, Inc., and an exemption from public meetings requirements for certain meetings of the association's board of governors, or a subcommittee of the association's board; clarifying that the public record exemption applies to medical information relating to the medical condition or medical status of an individual; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7107—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 624.23, F.S., which provides a public records exemption for certain records relating to consumer complaints and inquiries regarding matters or activities regulated under the Florida Insurance Code or the Employee Assistance and Ombudsman Office within the Department of Financial Services; reorganizing the definition of "consumer"; providing an additional exception to the exemption; eliminating the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7109—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 364.107, F.S., which provides an exemption from public record requirements for personal identifying information of Lifeline Assistance Plan participants; providing a penalty for intentional disclosure of confidential and exempt information by an officer or employee of the Public Service Commission; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7033—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 324.242, F.S., relating to an exemption from public records requirements for personal identifying information and policy numbers regarding personal injury protection and property damage liability insurance policies; clarifying applicability of the exemption; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7017—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 267.1736, F.S., which provides an exemption from public records requirements for information identifying a donor or prospective donor to the direct-support organization established to assist the University of Florida in the historic preservation of the City of St. Augustine; removing superfluous language; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7015—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 267.076, F.S., which provides an exemption from public records requirements for information that identifies a donor or prospective donor to publicly owned house museums designated by the United States Department of Interior as National Historic Landmarks who desires to remain anonymous; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7035—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending ss. 458.3193 and 459.0083, F.S., relating to exemptions from public records requirements for personal identifying information contained in physician workforce surveys submitted to the Department of Health by physicians and osteopathic physicians; removing superfluous language; removing the scheduled repeal of the exemptions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7037—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 556.113, F.S., relating to an exemption from public records requirements for proprietary confidential business information held by Sunshine State One-Call of Florida, Inc.; removing the scheduled repeal of the exemption; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7043—A bill to be entitled An act relating to obsolete or outdated programs and requirements; amending s. 110.123, F.S.; repealing provisions relating to the creation and duties of the Florida State Employee Wellness Council; amending ss. 120.54 and 120.745, F.S.; revising provisions relating to rule adoption by state agencies; requiring the rules ombudsman in the Executive Office of the Governor to assume certain duties formerly performed by the Small Business Regulatory Advisory Council; deleting provisions that require the Office of Program Policy Analysis and Government Accountability, upon request, to conduct a study and issue a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the impact on small business of certain proposed agency rules that have been rejected; repealing s. 258.155, F.S., relating to the Judah P. Benjamin Memorial at Gamble Plantation Historical Site Advisory Council; repealing s. 288.7001, F.S., relating to the Small Business Regulatory Advisory Council; repealing s. 288.7002, F.S., relating to the small business advocate; amending s. 316.2065, F.S.; removing a requirement to keep one hand on the handlebars while operating a bicycle; amending s. 339.64, F.S.; repealing provisions relating to the creation and duties of the Statewide Intermodal Transportation Advisory Council; repealing s. 381.90, F.S., relating to the creation, appointment, and duties of the Health Information Systems Council; repealing s. 624.916, F.S., relating to the developmental disabilities compact; repealing s. 1004.63, F.S., relating to the Florida Institute for Nuclear Detection and Security; amending ss. 322.27, 627.6686, and 641.31098, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7115—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 288.075, F.S., which provides public record exemptions for information held by economic development agencies; saving from repeal the exemption concerning plans, intentions, or interests of a private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state; providing that the exemption applies if a request for confidentiality is made before an economic incentive agreement is signed; specifying the time period during which information remains confidential and exempt when a final project order for a signed economic development agreement is issued; saving from repeal the exemption for trade secrets; saving from repeal the exemption for proprietary confidential business information; saving from repeal the exemption for identification, account, and registration numbers and sales, wage, and tax data relating to a recipient of an economic development incentive; saving from repeal the exemption for information held pursuant to the administration of an economic incentive program; clarifying and reorganizing the exemption; providing that the taxes paid by businesses participating in an economic incentive program may be disclosed in the aggregate; specifying duration of the period in which certain information held by an economic development agency relating to a specific business participating in an economic development program remains confidential and exempt; removing the scheduled repeal of the exemptions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7079—A bill to be entitled An act relating to state retirement; creating s. 121.012, F.S.; providing applicability; amending s. 121.021, F.S.;

clarifying the definitions of the terms "normal retirement date" and "vesting"; amending s. 121.0515, F.S.; correcting a cross-reference; amending s. 121.055, F.S.; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the Department of Management Services; clarifying provisions related to the prohibition of hardship loans or payments; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.071, F.S.; clarifying provisions related to the prohibition of hardship loans or payments; amending s. 121.091, F.S.; making conforming changes to the Deferred Retirement Option Program regarding deferral age; amending s. 121.122, F.S.; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.35, F.S.; providing that a benefit for the purposes of the optional retirement program for the State University System includes a certain distribution; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the Department of Management Services; clarifying provisions related to the prohibition of hardship loans or payments; clarifying when voluntary contributions may be paid out; amending s. 121.4501, F.S.; specifying that the definition of the term "eligible employee" does not include certain members reemployed in regularly established positions; clarifying that a retiree who is reemployed in a regularly established position after a certain date may not be enrolled as a renewed member; amending s. 121.591, F.S.; clarifying provisions related to the prohibition of hardship loans or payments; amending s. 1012.875, F.S.; authorizing distributions to a member who is terminated from employment for 1 calendar month if the member has reached the normal retirement date; providing rulemaking authority to the boards of trustees for colleges; clarifying provisions related to the prohibition of hardship loans or payments; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7025—A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; amending s. 320.08058, F.S.; revising requirements for the distribution of the Florida panther license plate annual use fee; amending s. 379.208, F.S.; revising a funding source of the Marine Resources Conservation Trust Fund from excise taxes to vessel registration fees; eliminating a requirement that undistributed funds be carried over to the next fiscal year; amending s. 379.2342, F.S.; deleting requirements relating to the publication of the Florida Wildlife Magazine and the creation of the Florida Wildlife Magazine Advisory Council; amending s. 379.354, F.S.; providing conditions under which scuba divers engaging in taking or attempting to take saltwater products are exempt from certain license and permit requirements; amending s. 379.3581, F.S.; removing a limitation for the duration and frequency of issuance of a special authorization for supervised hunting; amending s. 379.366, F.S.; reducing the fee amount for a soft-shell blue crab endorsement; amending s. 380.511, F.S.; revising a cross-reference to conform to changes made by the act; amending s. 921.0022, F.S.; adding certain spiny lobster trap violations to the offense severity ranking chart of the Criminal Punishment Code; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 4123—A bill to be entitled An act relating to federal environmental permitting; amending s. 373.4144, F.S.; repealing provisions directing the Department of Environmental Protection to file specified reports with the Speaker of the House of Representatives and the President of the Senate and to coordinate with the Florida Congressional Delegation on certain matters; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7049—A bill to be entitled An act relating to human trafficking; amending s. 16.56, F.S.; adding violations of ch. 787, F.S., to the jurisdiction of the Office of Statewide Prosecution; creating s. 480.0535, F.S.; requiring an employee of a massage establishment and any person performing massage therein to present, upon request of an investigator, valid government identification while in the establishment; providing documentation requirements for the operator of a massage establishment; providing criminal penalties; amending s. 775.21, F.S.; adding additional offenses to the list of sexual predator qualifying offenses; repealing s. 787.05, F.S., relating to unlawfully obtaining labor or services; amending s. 787.06, F.S.; revising legislative findings relating to human trafficking; revising definitions; creating additional offenses relating to human trafficking; providing criminal penalties; increasing criminal penalties for certain offenses; providing for forfeiture of property used, attempted to be used, or intended to be used in violation of specified human trafficking provisions; amending s. 787.07, F.S.; increasing criminal penalty for human smuggling; amending s. 796.035, F.S.; revising provisions relating to selling or buying of minors into sex trafficking or prostitution; repealing s. 796.045, F.S., relating to sex trafficking; amending s. 905.34, F.S.; adding violations of ch. 787, F.S., to the jurisdiction of a statewide grand jury; amending s. 934.07, F.S.; providing additional authorization for the interception of wire, oral, or electronic communications; amending ss. 943.0435, 944.606, and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; amending ss. 90.404, 772.102, 794.056, 895.02, and 938.085, F.S.; conforming cross-references; amending s. 921.0022, F.S.; ranking offenses on the sentencing guidelines chart of the Criminal Punishment Code; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7095—A bill to be entitled An act relating to clerks of court; amending s. 27.52, F.S.; authorizing the clerk of court to review the property records and motor vehicle records to determine whether an applicant for the appointment of a public defender is indigent; deleting a requirement that the clerk conduct the review; amending s. 28.24, F.S.; deleting a requirement for the clerks of the circuit courts to participate in the Comprehensive Case Information System; creating s. 28.2405, F.S.; requiring clerks of the circuit courts to use the Comprehensive Case Information System and to submit data to the system based on case types designated by the Supreme Court of Florida; amending s. 28.241, F.S.; providing that filing fees and fees to reopen a proceeding are due at the time a party files a pleading to initiate or reopen a proceeding; requiring the clerk of court to pursue the collection of fees that are not timely paid; revising the circumstances under which a fee to reopen a case applies; exempting a person from paying a reopen fee for filing a motion to enforce a stipulation or a motion for contempt; authorizing the clerk of court to charge a fee to issue an electronic certified copy of a summons; amending s. 28.37, F.S.; providing that certain penalties and fines are not deposited into the clerk's Public Records Modernization Trust Fund; amending s. 34.041, F.S.; requiring the party filing a case in county court to pay all filing and reopen fees at the time of filing; requiring the clerk to pursue collection of the fees if the fees are not paid at the time of filing; authorizing the clerk of court to charge a fee for issuing an electronic certified copy of a summons; revising the circumstances under which a fee to reopen a case applies; exempting a party from paying a reopen fee for filing motions to enforce stipulations and motions for contempt; amending s. 40.011, F.S.; requiring that a clerk of court generate and maintain a set of juror candidate lists; requiring that the clerk of court add names of certain persons to the juror candidate lists; authorizing the clerk of court to generate juror candidate lists as necessary to ensure a valid and consistent juror selection process; amending s. 40.02, F.S.; revising the process of selecting jury lists; amending s. 40.022, F.S.; revising the process of purging jury selection lists; amending s. 40.221, F.S.; conforming provisions to changes made by the act; amending s. 40.225, F.S.; requiring that the clerk of court implement an automated electronic system for drawing a jury venire; providing administrative responsibilities of the clerks of court with regard to the jury venire; requiring that the clerk of court or the chief judge submit for approval a plan for the selection of juror candidates; requiring that the Chief Justice of the Supreme Court examine the proposed

plan for compliance with applicable statutory requirements and technical standards and procedures; requiring that an administrative order be filed if the proposed plan is approved; amending s. 57.081, F.S.; providing that a person who receives a certification of indigence with respect to a proceeding is not required to pay charges to issue a summons; amending s. 95.11, F.S.; providing that an action to collect any court costs, fees, or fines owed to the state may be commenced at any time; amending s. 112.3173, F.S.; providing for the duty of a clerk of court to notify the Commission on Ethics of certain proceedings involving public officers or employees to arise after the clerk is advised by the state attorney that the defendant is a public officer or employee who is alleged to have committed a specified offense; amending s. 318.18, F.S.; requiring that the signature of the person designated to represent a community service agency be notarized on letterhead that indicates the number of hours of community service completed and the date the community service hours were completed by a person who is ordered to perform community service as a penalty for specified offenses; amending s. 668.50, F.S.; limiting the exemption from the Uniform Electronic Transaction Act for transactions governed by rules relating to judicial procedure; amending s. 733.707, F.S.; specifying the priority of payment of unpaid court costs, fees, or fines by a decedent's estate; amending s. 893.11, F.S.; providing that convictions of certain types of criminal offenses which are reported to the Comprehensive Case Information System of the Florida Association of Court Clerks and Comptrollers, Inc., are an immediate, serious danger to the public health, safety, or welfare; providing that such convictions are grounds for disciplinary action by a licensing state agency; requiring that a state agency initiate an emergency suspension of an individual professional license upon the agency's finding of the licensee's conviction of a certain type of criminal offense; requiring that certain state agencies use the Comprehensive Case Information System to obtain information relating to a conviction involving certain types of criminal offenses; requiring that the clerk of court provide to each state agency electronic access and provide certified copies of judgments to licensing agencies upon request; defining the term "professional license"; amending s. 938.27, F.S.; authorizing a court to require a defendant to pay the costs of prosecution and investigation pursuant to a payment plan under a specified provision; amending s. 938.30, F.S.; providing that criminal or civil judgment and related costs are a civil lien against the judgment debtor's presently owned or after-acquired real or personal property if the judgment is recorded; providing an exception to rerecording requirements; requiring that the clerk of court enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debts or lien imposed and collected in the same manner as for an indigent defendant-recipient; amending s. 947.181, F.S.; providing that the Parole Commission require as a condition of parole the payment of fines, fees, or other court-ordered costs under certain circumstances; providing that restitution ordered as a condition of parole has first priority over the payment of other costs ordered as a condition of parole; requiring that the commission state on record the reasons for not requiring the full payment of the fines, fees, or other court-ordered costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 313—A bill to be entitled An act relating to premises liability; amending s. 375.251, F.S.; providing that an owner or lessee who makes an area available to another person for hunting, fishing, or wildlife viewing is entitled to certain limitations on liability if certain notice is provided; providing that an owner of an area who enters into a written agreement with the state for the area to be used for outdoor recreational purposes is entitled to certain limitations on liability; deleting a requirement that the area be leased to the state in order for the limitations on liability to apply; providing intent and construction for such agreements; providing applicability; defining the term "area"; making technical and grammatical changes; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7069—A bill to be entitled An act relating to economic development tax refund programs; amending ss. 288.1045 and 288.106, F.S.; deleting certain limits on the amounts of tax refunds that may be received by qualified applicants under the qualified defense contractor and space flight business tax refund program and qualified target industry businesses under the tax refund program for such businesses; authorizing the reduction of local financial support requirements for qualified target industry businesses in a specified county; requiring that any reduction of local financial support requirements be provided from funds in the Economic Development Incentives Account within the Economic Development Trust Fund; limiting the amount of funds provided from the account for any annual tax refund for a qualified target industry business; deleting an obsolete provision; conforming a cross-reference; providing an effective date.

—was read the second time by title.

Representative Drake offered the following:

(Amendment Bar Code: 814129)

Amendment 1 (with title amendment)—Remove lines 56-57 and insert: Holmes County, Jackson County, Jefferson County, Leon County, Okaloosa County, Santa Rosa County, Wakulla County, ~~of~~ Walton County, or Washington County, if the

TITLE AMENDMENT

Remove line 11 and insert:
industry businesses in specified counties; requiring

Rep. Drake moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the was referred to the Engrossing Clerk.

HB 7075—A bill to be entitled An act relating to military installations; amending s. 163.3175, F.S.; authorizing the Florida Defense Support Task Force to recommend to the Legislature specified changes in military installations and local governments under the Community Planning Act; clarifying and revising procedures related to exchange of information between military installations and local governments under the act; amending s. 288.972, F.S.; revising legislative intent with respect to proposed closure or reuse of military bases; amending s. 288.980, F.S.; creating the Military Base Protection Program within the Department of Economic Opportunity; providing for use of program funds; revising provisions relating to the award of grants for retention of military installations; revising a definition; eliminating the Florida Economic Reinvestment Initiative; establishing the Florida Defense Reinvestment Grant Program to be administered by the Department of Economic Opportunity; specifying purposes of the program; specifying activities for which grant awards may be provided; eliminating the Defense-Related Business Adjustment Program, the Florida Defense Planning Grant Program, the Florida Defense Implementation Grant Program, the Florida Military Installation Reuse Planning and Marketing Grant Program, and the Retention of Military Installations Program; transferring and reassigning the functions and responsibilities of the Florida Council on Military Base and Mission Support within the Department of Economic Opportunity to the Florida Defense Support Task Force within the Department of Economic Opportunity by type two transfer; repealing s. 288.984, F.S., which establishes the Florida Council on Military Base and Mission Support and provides purposes thereof; amending s. 288.985, F.S.; conforming provisions relating to exempt records and meetings of the Council on Military Base and Mission Support; amending s. 288.987, F.S.; revising provisions relating to the Florida Defense Support Task Force, to conform; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 15—A bill to be entitled An act relating to transportation facility designations; providing honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 289—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 7065—A bill to be entitled An act relating to public records; amending s. 338.155, F.S.; revising an exemption from public records requirements for personal identifying information held by the Department of Transportation, a county, or an expressway authority for the purpose of paying, prepaying, or collecting tolls and associated administrative charges for the use of toll facilities; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a finding of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7039—A bill to be entitled An act relating to transportation facility designations; providing honorary designations of various transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; amending ch. 2010-230, Laws of Florida; revising designations in a specified county; providing an effective date.

—was read the second time by title.

Representative Drake offered the following:

(Amendment Bar Code: 854973)

Amendment 1—Remove lines 191-198

Rep. Drake moved the adoption of the amendment, which was adopted.
The vote was:

Session Vote Sequence: 801

Speaker Cannon in the Chair.

Yeas—77

Adkins	Eisnagle	Logan	Renuart
Albritton	Ford	Lopez-Cantera	Roberson, K.
Artiles	Fresen	Mayfield	Rooney
Aubuchon	Frishe	McBurney	Schenck
Baxley	Gaetz	McKeel	Smith
Bileca	Glorioso	Metz	Snyder
Boyd	Gonzalez	Moraitis	Stargel
Brodeur	Goodson	Nehr	Steube
Broxson	Grant	Nelson	Tobia
Burgin	Grimsley	Nuñez	Trujillo
Caldwell	Hager	O'Toole	Van Zant
Cannon	Harrell	Oliva	Weatherford
Coley	Harrison	Passidomo	Weinstein
Corcoran	Hooper	Patronis	Williams, A.
Costello	Horner	Perry	Wood
Crisafulli	Hudson	Plakon	Workman
Davis	Hukill	Porter	Young
Diaz	Ingram	Precourt	
Dorworth	Kreegel	Proctor	
Drake	Legg	Ray	

Nays—38

Abruzzo	Garcia	Porth	Soto
Bembry	Gibbons	Randolph	Stafford
Berman	Jenne	Reed	Steinberg
Bernard	Jones	Rehwinkel Vasilinda	Taylor
Bullard	Julien	Rogers	Thompson, G.
Chestnut	Kiar	Rouson	Thurston
Clarke-Reed	Kriseman	Sands	Waldman
Clemens	Pafford	Saunders	Watson
Cruz	Perman	Schwartz	
Fullwood	Pilon	Slosberg	

Votes after roll call:

Yeas—Ahern, Brandes, Campbell, Holder

Representative Porter offered the following:

(Amendment Bar Code: 134587)

Amendment 2—Remove lines 305-312 and insert:

Section 34. Brett Fulton and Josh Burch Memorial Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 41/State Road 6/State Road 25 between the Madison County line and County Road 51 in Hamilton County is designated as "Brett Fulton and Josh Burch Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Brett Fulton and Josh Burch Memorial

Rep. Porter moved the adoption of the amendment, which was adopted.

Representative Williams, A. offered the following:

(Amendment Bar Code: 078935)

Amendment 3—Between lines 442 and 443, insert:

Section 50. Alfred Lawson, Jr., Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. Highway 90/State Road 10/East Jefferson Street between State Road 12/State Road 65/Madison Street and County Road 159 in Gadsden County is designated as "Alfred Lawson, Jr., Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Alfred Lawson, Jr., Highway as described in subsection (1).

Rep. A. Williams moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 1229—A bill to be entitled An act relating to the reorganization of the Department of Children and Family Services; amending s. 20.04, F.S.; changing the name of the Department of Children and Family Services to the Department of Children and Families; authorizing the department to restructure its organizational units to establish circuits, which are aligned geographically with judicial circuits, and regions, which include multiple circuits in geographical proximity to each other; revising requirements relating to community alliances; deleting provisions relating to service districts, the prototype region, and the procurement of health services; amending s. 20.19, F.S.; revising the mission of the department; deleting provisions relating to the appointment of an Assistant Secretary for Substance Abuse and Mental Health; deleting provisions relating to the appointment of a Program Director for Substance Abuse and a Program Director for Mental Health; deleting provisions establishing service districts; revising provisions relating to the structure of and services provided by the department; amending s. 20.43, F.S.; revising provisions aligning the boundaries of service areas for the Department of Health to those of the service districts of the department to conform to changes made by this act; amending s. 420.622, F.S.; deleting authority of the Governor to appoint the executive director of the State Office on Homelessness; amending s. 394.78,

F.S.; deleting obsolete references; providing for future legislation to conform the Florida Statutes to changes made by the act; providing an effective date.

—was read the second time by title.

Representative Drake offered the following:

(Amendment Bar Code: 308299)

Amendment 1 (with title amendment)—Remove lines 105-113 and insert:

(c)1. The secretary shall appoint an Assistant Secretary for Substance Abuse and Mental Health. The assistant secretary shall serve at the pleasure of the secretary and must have expertise in both areas of responsibility.

2. The secretary shall appoint a ~~Program~~ Director for Substance Abuse and ~~a Program Director for Mental Health who has have~~ the requisite expertise and experience ~~in their respective fields~~ to head the state's Substance Abuse and Mental Health ~~Program Office programs~~.

TITLE AMENDMENT

Remove lines 15-20 and insert:

mission of the department; providing for the appointment of a Director for Substance Abuse and Mental Health to head the state's Substance Abuse and Mental Health Program Office; deleting provisions establishing

Rep. Drake moved the adoption of the amendment, which was adopted.

Representative Jones offered the following:

(Amendment Bar Code: 042445)

Amendment 2—Remove lines 215-216 and insert:

(a) The department shall, in consultation with local communities, establish a community alliance or similar group of the stakeholders,

Rep. Jones moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 787—A bill to be entitled An act relating to nursing home facilities; amending s. 400.021, F.S.; revising definitions of the terms "geriatric outpatient clinic" and "resident care plan" and defining the term "therapeutic spa services"; amending s. 400.141, F.S.; revising provisions relating to other needed services provided by licensed nursing home facilities, including respite care, adult day, and therapeutic spa services; revising provisions relating to facilities eligible to share programming and staff; deleting requirements for the submission of certain reports to the Agency for Health Care Administration; creating s. 400.172, F.S.; providing requirements for a nursing home facility operated by a licensee that provides respite care services; providing for rights of persons receiving respite care in nursing home facilities; requiring a prospective respite care recipient to provide certain information to the nursing home facility; amending s. 408.036, F.S.; providing an exemption from certain certificate-of-need requirements to provide for the creation of a pilot project in any of specified Agency for Health Care Administration subdistricts; requiring the nursing home to be affiliated with an accredited nursing school that offers certain degree programs; providing requirements for affiliation with a private accredited university and for location and staffing of the nursing home; providing for the pilot project to proceed notwithstanding any moratorium under certain conditions; providing for expiration of the exemption; amending s. 429.905, F.S.; defining the term "day" for purposes of day care services provided to adults who are not residents; amending s. 651.118, F.S.; providing a funding limitation on sheltered nursing home beds used to provide assisted living, rather than extended congregate care services; authorizing

certain sharing of areas, services, and staff between such sheltered beds and nursing home beds in those facilities; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 897—A bill to be entitled An act relating to construction contracting; amending s. 95.11, F.S.; adding a cross-reference; amending s. 255.05, F.S.; requiring that the bond number be stated on the first page of the bond; providing that a public entity may not make payment to the contractor unless the public entity has received a certified copy of the bond; providing that a provision in a payment bond furnished for a public works contract that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; requiring a contractor, or the contractor's attorney, to serve rather than mail a notice of contest of claim against the payment bond; providing prerequisites for commencement of an action against a payment bond; requiring payment bond forms to reference specified notice and time limitation provisions; providing that payment to a contractor who has furnished a payment bond on a public works project may not be conditioned upon production of certain documents if the surety has given written consent; providing for the surety to withhold or revoke consent; creating s. 255.0518, F.S.; requiring that the state, a county, a municipality, or any other public body or institution open sealed bids received in response to a competitive solicitation at a public meeting, announce the name of each bidder and the price submitted, and make available upon request the names of bidders and submitted prices; amending s. 713.10, F.S.; providing that a specified notice concerning a lessor's liability for liens for improvements made by the lessee prohibits liens even if other leases do not expressly prohibit liens or if certain other provisions are not identical; amending s. 713.13, F.S.; revising a notice form to clarify that the notice of commencement expires 1 year after the date of recording; removing a clause relating to perjury; providing additional time for service when a notice of commencement is not recorded with a copy of the bond attached; reenacting and amending s. 489.118, F.S.; reviving certain grandfathering provisions and setting a new deadline by which certain registered contractors may apply for certification; amending s. 713.132, F.S.; requiring notice of termination to be served on lienors in privity with the owner; amending s. 713.16, F.S.; revising requirements for demands for a copy of a construction contract and a statement of account; authorizing a lienor to make certain written demands to an owner for certain written statements; providing requirements for such written demands; amending s. 713.18, F.S.; providing additional methods by which certain items may be served; revising provisions relating to when service of specified items is effective; specifying requirements for certain written instruments under certain circumstances; amending s. 713.22, F.S.; requiring that the clerk serve rather than mail a notice of contest of lien; amending s. 713.23, F.S.; revising the contents of a notice to contractor; requiring that a contractor serve rather than mail a notice of contest of claim against the payment bond and a notice of bond; clarifying the attachment of the bond to the notice; providing that a provision in a payment bond that limits or expands the effective duration of the bond or adds conditions precedent is unenforceable; clarifying applicability of certain provisions; providing an effective date.

—was read the second time by title.

Representative Moraitis offered the following:

(Amendment Bar Code: 500099)

Amendment 1 (with title amendment)—Remove lines 122-296 and insert:

(b) Before commencing the work or before recommencing the work after a default or abandonment, the contractor shall provide to the public entity a certified copy of the recorded bond. Notwithstanding the terms of the contract or any other law governing prompt payment for construction services, the public entity may not make a payment to the contractor until the contractor has complied with this paragraph. This paragraph applies to contracts entered into on or after October 1, 2012.

~~(c) The~~ ~~Such~~ bond shall be conditioned upon the contractor's performance of the construction work in the time and manner prescribed in the contract and promptly making payments to all persons defined in s. 713.01 who furnish labor, services, or materials for the prosecution of the work provided for in the contract. ~~A~~ ~~Any~~ claimant may apply to the governmental entity having charge of the work for copies of the contract and bond and shall thereupon be furnished with a ~~certified~~ copy of the contract and the recorded bond. The claimant shall have a cause ~~right~~ of action against the contractor and surety for the amount due him or her, including unpaid finance charges due under the claimant's contract. Such action may ~~shall~~ not involve the public authority in any expense.

~~(d)~~ When the ~~such~~ work is done for the state and the contract is for \$100,000 or less, no payment and performance bond shall be required. At the discretion of the official or board awarding such contract when such work is done for any county, city, political subdivision, or public authority, ~~a~~ ~~any~~ person entering into such a contract ~~that~~ ~~which~~ is for \$200,000 or less may be exempted from executing the payment and performance bond. When such work is done for the state, the Secretary of Management Services may delegate to state agencies the authority to exempt any person entering into such a contract amounting to more than \$100,000 but less than \$200,000 from executing the payment and performance bond. If an ~~in the event~~ ~~such~~ exemption is granted, the officer or official ~~is~~ ~~officials~~ ~~shall~~ not be personally liable to persons suffering loss because of granting such exemption. The Department of Management Services shall maintain information on the number of requests by state agencies for delegation of authority to waive the bond requirements by agency and project number and whether any request for delegation was denied and the justification for the denial.

~~(e)~~ Any provision in a payment bond issued on or after October 1, 2012, furnished for public work contracts as provided by this subsection which further ~~restricts~~ the classes of persons ~~as defined in s. 713.01~~ protected by the bond, which restricts ~~or~~ the venue of any proceeding relating to such bond, which limits or expands the effective duration of the bond, or which adds conditions precedent to the enforcement of a claim against the bond beyond those provided in this section is unenforceable.

~~(f)(b)~~ The Department of Management Services shall adopt rules with respect to all contracts for \$200,000 or less, to provide:

1. Procedures for retaining up to 10 percent of each request for payment submitted by a contractor and procedures for determining disbursements from the amount retained on a pro rata basis to laborers, materialmen, and subcontractors, as defined in s. 713.01.

2. Procedures for requiring certification from laborers, materialmen, and subcontractors, as defined in s. 713.01, ~~before~~ ~~prior to~~ final payment to the contractor that such laborers, materialmen, and subcontractors have no claims against the contractor resulting from the completion of the work provided for in the contract.

The state ~~is~~ ~~shall~~ not ~~be held~~ liable to any laborer, materialman, or subcontractor for any amounts greater than the pro rata share as determined under this section.

~~(g)(e)~~ 1. The amount of the bond shall equal the contract price, except that for a contract in excess of \$250 million, if the state, county, municipality, political subdivision, or other public entity finds that a bond in the amount of the contract price is not reasonably available, the public owner shall set the amount of the bond at the largest amount reasonably available, but not less than \$250 million.

2. For construction-management or design-build contracts, if the public owner does not include in the bond amount the cost of design or other nonconstruction services, the bond may not be conditioned on performance of such services or payment to persons furnishing such services. Notwithstanding paragraphs (c) and (e) ~~paragraph (a)~~, such a bond may exclude persons furnishing such services from the classes of persons protected by the bond.

~~(2)(a)~~ 1. If a claimant is no longer furnishing labor, services, or materials on a project, a contractor or the contractor's agent or attorney may elect to shorten the prescribed time in this paragraph within which an action to enforce any claim against a payment bond must ~~provided pursuant to this section~~ may be

commenced by recording in the clerk's office a notice in substantially the following form:

NOTICE OF CONTEST OF CLAIM
AGAINST PAYMENT BOND

To: ...(Name and address of claimant)...

You are notified that the undersigned contests your notice of nonpayment, dated, and served on the undersigned on, and that the time within which you may file suit to enforce your claim is limited to 60 days after the date of service of this notice.

DATED on,

Signed: ...(Contractor or Attorney)...

The claim of a ~~any~~ claimant upon whom such notice is served and who fails to institute a suit to enforce his or her claim against the payment bond within 60 days after service of such notice shall be extinguished automatically. The contractor or the contractor's attorney ~~clerk~~ shall serve ~~mail~~ a copy of the notice of contest to the claimant at the address shown in the notice of nonpayment or most recent amendment thereto and shall certify to such service on the face of the such notice and record the notice. ~~Service is complete upon mailing.~~

2. A claimant, except a laborer, who is not in privity with the contractor shall, before commencing or not later than 45 days after commencing to furnish labor, services, or materials for the prosecution of the work, furnish the contractor with a written notice that he or she intends to look to the bond for protection. A claimant who is not in privity with the contractor and who has not received payment for his or her labor, services, or materials shall deliver to the contractor and to the surety written notice of the performance of the labor or delivery of the materials or supplies and of the nonpayment. The notice of nonpayment shall ~~may~~ be served ~~at any time~~ during the progress of the work or thereafter but may not be served earlier than before 45 days after the first furnishing of labor, services, or materials ~~or, and not~~ later than 90 days after the final furnishing of the labor, services, or materials by the claimant or, with respect to rental equipment, not later than 90 days after the date that the rental equipment was last on the job site available for use. Any notice of nonpayment served by a claimant who is not in privity with the contractor which includes sums for retainage must specify the portion of the amount claimed for retainage. An ~~No~~ action for the labor, materials, or supplies may ~~not~~ be instituted against the contractor or the surety unless the notice to the contractor and notice of nonpayment have been served, if required by this section both notices have been given. Notices required or permitted under this section shall ~~may~~ be served in accordance with s. 713.18. A claimant may not waive in advance his or her right to bring an action under the bond against the surety. In any action brought to enforce a claim against a payment bond under this section, the prevailing party is entitled to recover a reasonable fee for the services of his or her attorney for trial and appeal or for arbitration, in an amount to be determined by the court, which fee must be taxed as part of the prevailing party's costs, as allowed in equitable actions. The time periods for service of a notice of nonpayment or for bringing an action against a contractor or a surety shall be measured from the last day of furnishing labor, services, or materials by the claimant and may ~~shall~~ not be measured by other standards, such as the issuance of a certificate of occupancy or the issuance of a certificate of substantial completion.

(6) All payment bond forms used by a public owner and all payment bonds executed pursuant to this section by a surety shall make reference to this section by number, ~~and~~ shall contain reference to the notice and time limitation provisions in subsections ~~subsection~~ (2) and (10), and shall comply with the requirements of paragraph (1)(a).

(11) When a contractor furnishes and records a payment and performance bond for a public works project in accordance with this section and provides the public authority with a written consent from the surety regarding the project or payment in question, the public authority may not condition its payment to the contractor on the production of a release, waiver, or like documentation from a claimant demonstrating that the claimant does not

have an outstanding claim against the contractor, the surety, the payment bond, or the public authority for payments due on labor, services, or materials furnished on the public works project. The surety may, in a writing served on the public authority, revoke its consent or direct that the public authority withhold a specified amount from a payment, which shall be effective upon receipt. This subsection applies to contracts entered into on or after October 1, 2012.

Section 3. Effective upon this act becoming a law, section 255.0518, Florida Statutes, is created

Remove lines 918-933 and insert:

(f) A ~~Any~~ lienor has a direct right of action on the bond against the surety. Any provision in a payment bond issued on or after October 1, 2012, which further restricts A bond must not contain any provisions restricting the classes of persons who are protected by the payment bond, which restricts thereby or the venue of any proceeding relating to such payment bond, which limits or expands the effective duration of the payment bond, or which adds conditions precedent to the enforcement of a claim against a payment bond beyond those provided in this part is unenforceable. The surety is not entitled to the defense of pro tanto discharge as against any lienor because of changes or modifications in the contract to which the surety is not a party; but the liability of the surety may not be increased beyond the penal sum of the bond. A lienor may not waive in advance his or her right to bring an action under the bond against the surety.

Remove line 966 and insert:

Section 12. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2012.

TITLE AMENDMENT

Remove line 66 and insert:

of certain provisions; providing effective dates.

Rep. Moraitis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1287—A bill to be entitled An act relating to voluntary contributions on registration, driver license, and identification card forms; amending s. 320.02, F.S.; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; amending s. 322.08, F.S.; requiring the application forms for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports and to Support Our Troops; providing that such contributions are not income for specified purposes; providing an effective date.

—was read the second time by title.

Representative Glorioso offered the following:

(Amendment Bar Code: 236809)

Amendment 1 (with directory and title amendments)—Remove lines 37-110 and insert:

(q) Notwithstanding the provisions of section 26, chapter 2010-223, Laws of Florida, the application form for motor vehicle registration and renewal registration must include language permitting a voluntary contribution of \$1 or more per applicant, which contribution must be distributed to the Auto Club South Traffic Safety Foundation, a nonprofit organization. Funds received by the foundation must be used to improve traffic safety culture in our communities through effective outreach, education, and activities that will

save lives, reduce injuries, and prevent crashes. The foundation must comply with the provisions of s. 320.023.

For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

Section 2. Subsection (7) of section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(7) The application form for an original, renewal, or replacement driver ~~driver's~~ license or identification card shall include language permitting the following:

(a) A voluntary contribution of \$1 per applicant, which contribution shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b) A voluntary contribution of \$1 per applicant, which contribution shall be distributed to the Florida Council of the Blind.

(c) A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d) A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e) A voluntary contribution of \$1 per applicant, which shall be distributed to the Children's Hearing Help Fund.

(f) A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

(g) A voluntary contribution of \$1 per applicant to Stop Heart Disease, which shall be distributed to the Florida Heart Research Institute, a nonprofit organization.

(h) A voluntary contribution of \$1 per applicant to Senior Vision Services, which shall be distributed to the Florida Association of Agencies Serving the Blind, Inc., a not-for-profit organization.

(i) A voluntary contribution of \$1 per applicant for services for persons with developmental disabilities, which shall be distributed to The Arc of Florida.

(j) A voluntary contribution of \$1 to the Ronald McDonald House, which shall be distributed each month to Ronald McDonald House Charities of Tampa Bay, Inc.

(k) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant, which shall be distributed to the League Against Cancer/La Liga Contra el Cancer, a not-for-profit organization.

(l) A voluntary contribution of \$1 per applicant to Prevent Child Sexual Abuse, which shall be distributed to Lauren's Kids, Inc., a nonprofit organization.

(m) A voluntary contribution of \$1 per applicant, which shall be distributed to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state.

(n) Notwithstanding s. 322.081, a voluntary contribution of \$1 per applicant to the state homes for veterans, to be distributed on a quarterly basis by the department to the State Homes for Veterans Trust Fund, which is administered by the Department of Veterans' Affairs.

(o) A voluntary contribution of \$1 per applicant to the Disabled American Veterans, Department of Florida, which shall be distributed quarterly to Disabled American Veterans, Department of Florida, a nonprofit organization.

(p) A voluntary contribution of \$1 per applicant for Autism Services and Supports, which shall be distributed to Achievement and Rehabilitation Centers, Inc., Autism Services Fund.

(q) A voluntary contribution of \$1 per applicant to Support Our Troops, which shall be distributed to Support Our Troops, Inc., a Florida not-for-profit organization.

(r) Notwithstanding the provisions of section 26, chapter 2010-223, Laws of Florida, a voluntary contribution of \$1 or more per applicant to the Auto Club South Traffic Safety Foundation, a nonprofit organization. Funds received by the foundation must be used to improve traffic safety culture in our communities through effective outreach, education, and activities that will save lives, reduce injuries, and prevent crashes. The foundation must comply with the provisions of s. 322.081.

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided in s. 215.20, contributions received under paragraphs (b)-(r) ~~(b)-(e)~~ are not income of a revenue nature.

DIRECTORY AMENDMENT

Remove line 21 and insert:

Section 1. Paragraphs (o), (p), and (q) are added to subsection

TITLE AMENDMENT

Remove lines 8-15 and insert:

Autism Services and Supports, to Support Our Troops, and to the Auto Club South Traffic Safety Foundation; providing that such contributions are not income for specified purposes; amending s. 322.08, F.S.; requiring the application forms for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Autism Services and Supports, to Support Our Troops, and to the Auto Club South Traffic Safety Foundation;

Rep. Glorioso moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 809—A bill to be entitled An act relating to communications services taxes; amending s. 202.105, F.S.; revising legislative intent; amending s. 202.11, F.S.; modifying definitions; removing the definition of the term "cable service"; adding definitions for the terms "digital good," "digital service," "Internet access service," and "video service"; revising the definition of the term "sales price"; amending ss. 202.125, 202.16, 202.20, and 202.24, F.S.; conforming provisions to changes in terminology; amending s. 202.18, F.S.; removing a cross-reference to conform; amending s. 202.195, F.S.; clarifying provisions exempting from the public records law certain proprietary confidential business information held by a local governmental entity for the purpose of assessing the local communications services tax; amending s. 202.22, F.S.; revising provisions relating to a communications services dealer's liability for tax underpayments that result from the incorrect assignment of service addresses to local taxing jurisdictions and providing requirements and conditions with respect thereto; prohibiting the department from denying a dealer of communications services a deduction of a specified amount as a collection allowance under certain circumstances; amending s. 202.231, F.S.; requiring the Department of Revenue to aggregate monthly and make available to the public on a jurisdiction-by-jurisdiction basis certain sales and net tax information; amending s. 202.26, F.S.; conforming a cross-reference; amending ss. 203.01, 610.118, and 624.105, F.S.; conforming cross-references; providing for certain retroactive effect; providing an effective date.

—was read the second time by title.

Representative Grant offered the following:

(Amendment Bar Code: 372887)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 202.105, Florida Statutes, is amended to read:

202.105 Legislative findings and intent.—

(1) It is declared to be a specific legislative finding that the creation of this chapter fulfills important state interests by reforming the tax laws to provide a fair, efficient, and uniform method for taxing communications services sold in this state. This chapter is essential to the continued economic vitality of this increasingly important industry because it restructures state and local taxes

and fees to account for the impact of federal legislation, industry deregulation, and the multitude of convergence of service offerings that is now taking place among providers offering functionally equivalent communications services in today's marketplace. This chapter promotes the increased competition that accompanies deregulation by embracing a competitively neutral tax policy that will free consumers to choose a provider based on tax-neutral considerations. This chapter further spurs new competition by simplifying an extremely complicated state and local tax and fee system. Simplification will lower the cost of collecting taxes and fees, increase service availability, and place downward pressure on price. Newfound administrative efficiency is demonstrated by a reduction in the number of returns that a provider must file each month. By restructuring separate taxes and fees into a revenue-neutral communications services tax centrally administered by the department, this chapter will ensure that the growth of the industry is unimpaired by excessive governmental regulation. The tax imposed pursuant to this chapter is a replacement for taxes and fees previously imposed and is not a new tax. The taxes imposed and administered pursuant to this chapter are of general application and are imposed in a uniform, consistent, and nondiscriminatory manner.

Section 2. Section 202.11, Florida Statutes, is amended to read:

202.11 Definitions.—As used in this chapter, the term:

~~(1) "Cable service" means the transmission of video, audio, or other programming service to purchasers, and the purchaser interaction, if any, required for the selection or use of any such programming service, regardless of whether the programming is transmitted over facilities owned or operated by the cable service provider or over facilities owned or operated by one or more other dealers of communications services. The term includes point-to-point and point-to-multipoint distribution services by which programming is transmitted or broadcast by microwave or other equipment directly to the purchaser's premises, but does not include direct-to-home satellite service. The term includes basic, extended, premium, pay per view, digital, and music services.~~

~~(1)(2)~~ "Communications services" means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals, including video cable services, to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised, regardless of the protocol used for such transmission or conveyance. The term includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such service is referred to as voice-over-Internet-protocol services or is classified by the Federal Communications Commission as enhanced or value-added. The term does not include:

- (a) Information services.
- (b) Installation or maintenance of wiring or equipment on a customer's premises.
- (c) The sale or rental of tangible personal property.
- (d) The sale of advertising, including, but not limited to, directory advertising.
- (e) Bad check charges.
- (f) Late payment charges.
- (g) Billing and collection services.
- (h) Internet access service, electronic mail service, electronic bulletin board service, or similar online computer services.

~~(2)(3)~~ "Dealer" means a person registered with the department as a provider of communications services in this state.

~~(3)(4)~~ "Department" means the Department of Revenue.

~~(4)(5)~~ "Direct-to-home satellite service" has the meaning ascribed in the Communications Act of 1934, 47 U.S.C. s. 303(v).

~~(5)(6)~~ "Information service" means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, using, or making available information via communications services, including, but not limited to, electronic publishing, web-hosting service, and end-user 900 number service. The term does not include any video, audio, or other programming service that uses point-to-multipoint distribution by which programming is delivered, transmitted, or broadcast by any means, including

any interaction that may be necessary for selecting and using the service, regardless of whether the programming is delivered, transmitted, or broadcast over facilities owned or operated by the seller or another, or whether denominated as cable service or as basic, extended, premium, pay per view, digital, music, or two-way cable service.

(6) "Internet access service" has the same meaning as ascribed to the term "Internet access" by s. 1105(5) of the Internet Tax Freedom Act, 47 U.S.C. s. 151 note, as amended by Pub. L. No. 110-108.

(7) "Mobile communications service" means ~~commercial~~ mobile radio service, as defined in 47 C.F.R. s. 20.3 as in effect on June 1, 1999. The term does not include air-ground radiotelephone service as defined in 47 C.F.R. s. 22.99 as in effect on June 1, 1999.

(8) "Person" has the meaning ascribed in s. 212.02.

(9) "Prepaid calling arrangement" means the separately stated retail sale by advance payment of communications services that consist exclusively of telephone calls originated by using an access number, authorization code, or other means that may be manually, electronically, or otherwise entered, and that are sold in predetermined units or dollars of which the number declines with use in a known amount.

(10) "Purchaser" means the person paying for or obligated to pay for communications services.

(11) "Retail sale" means the sale of communications services for any purpose other than for resale or for use as a component part of or for integration into communications services to be resold in the ordinary course of business. However, any sale for resale must comply with s. 202.16(2) and the rules adopted thereunder.

(12) "Sale" means the provision of communications services for a consideration.

(13) "Sales price" means the total amount charged in money or other consideration by a dealer for the sale of the right or privilege of using communications services in this state, including any property or other service, not described in paragraph (a), which is services that are part of the sale and for which the charge is not separately itemized on a customer's bill or separately allocated under subparagraph (b)8. The sales price of communications services may shall not be reduced by any separately identified components of the charge which that constitute expenses of the dealer, including, but not limited to, sales taxes on goods or services purchased by the dealer, property taxes, taxes measured by net income, and universal-service fund fees.

(a) The sales price of communications services includes shall include, whether or not separately stated, charges for any of the following:

1. The connection, movement, change, or termination of communications services.
2. The detailed billing of communications services.
3. The sale of directory listings in connection with a communications service.
4. Central office and custom calling features.
5. Voice mail and other messaging service.
6. Directory assistance.
7. The service of sending or receiving a document commonly referred to as a facsimile or "fax," except when performed during the course of providing professional or advertising services.

(b) The sales price of communications services does not include charges for any of the following:

1. An Any excise tax, sales tax, or similar tax levied by the United States or any state or local government on the purchase, sale, use, or consumption of any communications service, including, but not limited to, a any tax imposed under this chapter or chapter 203 which is permitted or required to be added to the sales price of such service, if the tax is stated separately.

2. A Any fee or assessment levied by the United States or any state or local government, including, but not limited to, regulatory fees and emergency telephone surcharges, which must is required to be added to the price of the such service if the fee or assessment is separately stated.

3. Communications services paid for by inserting coins into coin-operated communications devices available to the public.

4. The sale or recharge of a prepaid calling arrangement.

5. The provision of air-to-ground communications services, defined as a radio service provided to a purchaser ~~purchasers~~ while on board an aircraft.

6. A dealer's internal use of communications services in connection with its business of providing communications services.

7. Charges for property or other services that are not part of the sale of communications services, if such charges are stated separately from the charges for communications services.

8. ~~To the extent required by federal law,~~ Charges for goods or services that are not subject to tax under this chapter, including Internet access services but excluding any item described in paragraph (a), that which are not separately itemized on a customer's bill, but that which can be reasonably identified from the selling dealer's books and records kept in the regular course of business. The dealer may support the allocation of charges with books and records kept in the regular course of business covering the dealer's entire service area, including territories outside this state.

(14) "Service address" means:

(a) Except as otherwise provided in this section:

1. The location of the communications equipment from which communications services originate or at which communications services are received by the customer;

2. In the case of a communications service paid through a credit or payment mechanism that does not relate to a service address, such as a bank, travel, debit, or credit card, and in the case of third-number and calling-card calls, the term "service address" means the address of the central office, as determined by the area code and the first three digits of the seven-digit originating telephone number; or

3. If the location of the equipment described in subparagraph 1. is not known and subparagraph 2. is inapplicable, the term "service address" means the location of the customer's primary use of the communications service. For purposes of this subparagraph, the location of the customer's primary use of a communications service is the residential street address or the business street address of the customer.

(b) In the case of video cable services and direct-to-home satellite services, the location where the customer receives the services in this state.

(c) In the case of mobile communications services, the customer's place of primary use.

(15) "Unbundled network element" means a network element, as defined in 47 U.S.C. s. 153(29), to which access is provided on an unbundled basis pursuant to 47 U.S.C. s. 251(c)(3).

(16) "Private communications service" means a communications service that entitles the subscriber or user to exclusive or priority use of a communications channel or group of channels between or among channel termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services ~~that which~~ are provided in connection with the use of such channel or channels.

(17)(a) "Customer" means:

1. The person or entity that contracts with the home service provider for mobile communications services; or

2. If the end user of mobile communications services is not the contracting party, the end user of the mobile communications service. This subparagraph only applies for the purpose of determining the place of primary use.

(b) "Customer" does not include:

1. A reseller of mobile communications services; or

2. A serving carrier under an agreement to serve the customer outside the home service provider's licensed service area.

(18) "Enhanced zip code" means a United States postal zip code of 9 or more digits.

(19) "Home service provider" means the facilities-based carrier or reseller with which the customer contracts for the provision of mobile communications services.

(20) "Licensed service area" means the geographic area in which the home service provider is authorized by law or contract to provide mobile communications service to the customer.

(21) "Place of primary use" means the street address representative of where the customer's use of the mobile communications service primarily occurs, which must be:

(a) The residential street address or the primary business street address of the customer; and

(b) Within the licensed service area of the home service provider.

(22)(a) "Reseller" means a provider who purchases communications services from another communications service provider and then resells, uses as a component part of, or integrates the purchased services into a mobile communications service.

(b) "Reseller" does not include a serving carrier with which a home service provider arranges for the services to its customers outside the home service provider's licensed service area.

(23) "Serving carrier" means a facilities-based carrier providing mobile communications service to a customer outside a home service provider's or reseller's licensed service area.

(24) "Video service" means the transmission of video, audio, or other programming service to a purchaser, and the purchaser interaction, if any, required for the selection or use of a programming service, regardless of whether the programming is transmitted over facilities owned or operated by the video service provider or over facilities owned or operated by another dealer of communications services. The term includes point-to-point and point-to-multipoint distribution services through which programming is transmitted or broadcast by microwave or other equipment directly to the purchaser's premises, but does not include direct-to-home satellite service. The term includes basic, extended, premium, pay-per-view, digital video, two-way cable, and music services has the same meaning as that provided in s. 610.103.

Section 3. Subsection (1) of section 202.125, Florida Statutes, is amended to read:

202.125 Sales of communications services; specified exemptions.—

(1) The separately stated sales price of communications services sold to residential households is exempt from the tax imposed by s. 202.12 and s. 203.01(1)(b)3. This exemption does not apply to any residence that constitutes all or part of a transient public lodging establishment as defined in chapter 509, any mobile communications service, any video cable service, or any direct-to-home satellite service.

Section 4. Paragraph (a) of subsection (2) of section 202.16, Florida Statutes, is amended to read:

202.16 Payment.—The taxes imposed or administered under this chapter and chapter 203 shall be collected from all dealers of taxable communications services on the sale at retail in this state of communications services taxable under this chapter and chapter 203. The full amount of the taxes on a credit sale, installment sale, or sale made on any kind of deferred payment plan is due at the moment of the transaction in the same manner as a cash sale.

(2)(a) A sale of communications services that are used as a component part of or integrated into a communications service or prepaid calling arrangement for resale, including, but not limited to, carrier-access charges, interconnection charges paid by providers of mobile communication services or other communication services, charges paid by a video cable service provider ~~providers~~ for the purchase of video programming or the transmission of video or other programming by another dealer of communications services, charges for the sale of unbundled network elements, and any other intercompany charges for the use of facilities for providing communications services for resale, must be made in compliance with the rules of the department. A ~~Any~~ person who makes a sale for resale which is not in compliance with these rules is liable for any tax, penalty, and interest due for failing to comply, to be calculated pursuant to s. 202.28(2)(a).

Section 5. Paragraph (c) of subsection (3) of section 202.18, Florida Statutes, is amended to read:

202.18 Allocation and disposition of tax proceeds.—The proceeds of the communications services taxes remitted under this chapter shall be treated as follows:

(3)

(c)1. Except as otherwise provided in this paragraph, proceeds of the taxes levied pursuant to s. 202.19, less amounts deducted for costs of administration in accordance with paragraph (b), shall be distributed monthly to the appropriate jurisdictions. The proceeds of taxes imposed pursuant to s. 202.19(5) shall be distributed in the same manner as discretionary surtaxes are distributed, in accordance with ss. 212.054 and 212.055.

2. The department shall make any adjustments to the distributions pursuant to this section which are necessary to reflect the proper amounts due to individual jurisdictions or trust funds. In the event that the department adjusts amounts due to reflect a correction in the siting of a customer, such adjustment shall be limited to the amount of tax actually collected from such customer by the dealer of communication services.

3.a. ~~Notwithstanding the time period specified in s. 202.22(5),~~ Adjustments in distributions which are necessary to correct misallocations between jurisdictions shall be governed by this subparagraph. If the department determines that misallocations between jurisdictions occurred, it shall provide written notice of such determination to all affected jurisdictions. The notice shall include the amount of the misallocations, the basis upon which the determination was made, data supporting the determination, and the identity of each affected jurisdiction. The notice shall also inform all affected jurisdictions of their authority to enter into a written agreement establishing a method of adjustment as described in sub-subparagraph c.

b. An adjustment affecting a distribution to a jurisdiction which is less than 90 percent of the average monthly distribution to that jurisdiction for the 6 months immediately preceding the department's determination, as reported by all communications services dealers, shall be made in the month immediately following the department's determination that misallocations occurred.

c. If an adjustment affecting a distribution to a jurisdiction equals or exceeds 90 percent of the average monthly distribution to that jurisdiction for the 6 months immediately preceding the department's determination, as reported by all communications services dealers, the affected jurisdictions may enter into a written agreement establishing a method of adjustment. If the agreement establishing a method of adjustment provides for payments of local communications services tax monthly distributions, the amount of any such payment agreed to may not exceed the local communications services tax monthly distributions available to the jurisdiction that was allocated amounts in excess of those to which it was entitled. If affected jurisdictions execute a written agreement specifying a method of adjustment, a copy of the written agreement shall be provided to the department no later than the first day of the month following 90 days after the date the department transmits notice of the misallocation. If the department does not receive a copy of the written agreement within the specified time period, an adjustment affecting a distribution to a jurisdiction made pursuant to this sub-subparagraph shall be prorated over a time period that equals the time period over which the misallocations occurred.

Section 6. Subsections (5) and (6) of section 202.22, Florida Statutes, are amended to read:

202.22 Determination of local tax situs.—

(5) If a dealer of communications services does not use one or more of the methods specified in subsection (1) for determining the local taxing jurisdiction in which one or more service addresses are a service address is located and:

(a) The dealer's failure to use one or more of such methods results in a net aggregate underpayment of all taxes levied pursuant to s. 202.19 with respect to one or more tax periods that are being examined by the department under the provisions of this chapter; and

(b) The department has determined the misallocations between jurisdictions for all taxes levied pursuant to s. 202.19 and collected by the dealer with respect to any tax period being examined by the department; then,

the dealer of communications services may be held liable to the department for the net aggregate underpayment of any tax, and for including interest and penalties attributable to the net aggregate underpayment of tax, which is due as a result of assigning one or more the service addresses address to an incorrect local taxing jurisdiction. Subject to the provisions of ss. 202.22(8), 202.34, and 202.35(3) However, the dealer of communications services is not liable for any tax, interest, or penalty under this subsection unless the department has determined the net aggregate underpayment of tax for any tax period that is being examined, taking into account all underpayments and overpayments for such period or periods to the extent that such amount was collected and remitted by the dealer of communications services with respect to a tax imposed by another local taxing jurisdiction. Upon determining that an

~~amount was collected and remitted by a dealer of communications services with respect to a tax imposed by another local taxing jurisdiction, the department shall adjust the respective amounts of the proceeds paid to each such taxing jurisdiction under s. 202.18 in the month immediately following such determination.~~

(6)(a) Pursuant to rules adopted by the department, each dealer of communications services must notify the department of the methods it intends to employ for determining the local taxing jurisdiction in which service addresses are located.

(b) Notwithstanding s. 202.28, if a dealer of communications services:

1. Employs a method of assigning service addresses other than as set forth in paragraph (1)(a), paragraph (1)(b), or paragraph (1)(c), the deduction allowed to the dealer of communications services as compensation under s. 202.28 shall be 0.25 percent of that portion of the tax due and accounted for and remitted to the department which is attributable to such method of assigning service addresses other than as set forth in paragraph (1)(a), paragraph (1)(b), or paragraph (1)(c).

2. Employs a method of assigning service addresses as set forth in paragraph (1)(a), paragraph (1)(b), or paragraph (1)(c), the department may not deny the deduction allowed to the dealer of communications services as compensation allowed under s. 202.28 because the dealer assigned one or more service addresses to an incorrect local taxing jurisdiction.

Section 7. Subsection (3) is added to section 202.231, Florida Statutes, to read:

202.231 Provision of information to local taxing jurisdictions.—

(3) The gross taxable sales and the total net amount transferred to the jurisdiction, showing the net taxes remitted by dealers less the administrative fees deducted by the department contained in the monthly reports required by this section, shall be aggregated on a jurisdiction-by-jurisdiction basis, and the aggregate jurisdiction-by-jurisdiction information shall be made available by the department to the public through the department's website for each fiscal year this chapter has been in effect.

Section 8. Paragraphs (a) and (c) of subsection (2) of section 202.24, Florida Statutes, are amended to read:

202.24 Limitations on local taxes and fees imposed on dealers of communications services.—

(2)(a) Except as provided in paragraph (c), each public body is prohibited from:

1. Levying on or collecting from dealers or purchasers of communications services any tax, charge, fee, or other imposition on or with respect to the provision or purchase of communications services.

2. Requiring any dealer of communications services to enter into or extend the term of a franchise or other agreement that requires the payment of a tax, charge, fee, or other imposition.

3. Adopting or enforcing any provision of any ordinance or agreement to the extent that such provision obligates a dealer of communications services to charge, collect, or pay to the public body a tax, charge, fee, or other imposition.

Municipalities and counties may not negotiate those terms and conditions related to franchise fees or the definition of gross revenues or other definitions or methodologies related to the payment or assessment of franchise fees on providers of cable or video services.

(c) This subsection does not apply to:

1. Local communications services taxes levied under this chapter.

2. Ad valorem taxes levied pursuant to chapter 200.

3. Business taxes levied under chapter 205.

4. "911" service charges levied under chapter 365.

5. Amounts charged for the rental or other use of property owned by a public body which is not in the public rights-of-way to a dealer of communications services for any purpose, including, but not limited to, the placement or attachment of equipment used in the provision of communications services.

6. Permit fees of general applicability which are not related to placing or maintaining facilities in or on public roads or rights-of-way.

7. Permit fees related to placing or maintaining facilities in or on public roads or rights-of-way pursuant to s. 337.401.

8. Any in-kind requirements, institutional networks, or contributions for, or in support of, the use or construction of public, educational, or governmental access facilities allowed under federal law and imposed on providers of ~~cable or~~ video service pursuant to any existing ordinance or an existing franchise agreement granted by each municipality or county, under which ordinance or franchise agreement service is provided before ~~prior to~~ July 1, 2007, or as permitted under chapter 610. ~~Nothing in~~ This subparagraph ~~does not shall~~ prohibit the ability of providers of ~~cable or~~ video service ~~from recovering the to recover such~~ expenses as allowed under federal law.

9. Special assessments and impact fees.

10. Pole attachment fees that are charged by a local government for attachments to utility poles owned by the local government.

11. Utility service fees or other similar user fees for utility services.

12. Any other generally applicable tax, fee, charge, or imposition authorized by general law on July 1, 2000, which is not specifically prohibited by this subsection or included as a replaced revenue source in s. 202.20.

Section 9. Paragraph (a) of subsection (1) of section 203.01, Florida Statutes, is amended to read:

203.01 Tax on gross receipts for utility and communications services.—

(1)(a)1. A tax is imposed on gross receipts from utility services that are delivered to a retail consumer in this state. The ~~Such~~ tax shall be levied as provided in paragraphs (b)-(j).

2. A tax is levied on communications services as defined in s. ~~202.11(1)~~ 202.11(2). The ~~Such~~ tax shall be applied to the same services and transactions as are subject to taxation under chapter 202, and to communications services that are subject to the exemption provided in s. 202.125(1). The ~~Such~~ tax shall be applied to the sales price of communications services when sold at retail, as the ~~such~~ terms are defined in s. 202.11, shall be due and payable at the same time as the taxes imposed pursuant to chapter 202, and shall be administered and collected pursuant to the provisions of chapter 202.

Section 10. Section 624.105, Florida Statutes, is amended to read:

624.105 Waiver of customer liability.—Any regulated company as defined in s. 350.111, any electric utility as defined in s. 366.02(2), any utility as defined in s. 367.021(12) or s. 367.022(2) and (7), and any provider of communications services as defined in s. ~~202.11(1)~~ 202.11(2) may charge for and include an optional waiver of liability provision in their customer contracts under which the entity agrees to waive all or a portion of the customer's liability for service from the entity for a defined period in the event of the customer's call to active military service, death, disability, involuntary unemployment, qualification for family leave, or similar qualifying event or condition. Such provisions may not be effective in the customer's contract with the entity unless affirmatively elected by the customer. No such provision shall constitute insurance so long as the provision is a contract between the entity and its customer.

Section 11. The following changes made in this act are intended to be remedial in nature and apply retroactively, but do not provide a basis for an assessment of any tax not paid or create a right to a refund or credit of any tax paid before the general effective date of this act:

(1) The changes made in section 2 of this act to subsection (13) of s. 202.11, Florida Statutes.

(2) The changes made in section 6 of this act to s. 202.22, Florida Statutes.

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to communications services taxes; amending s. 202.105, F.S.; revising legislative intent; amending s. 202.11, F.S.; modifying definitions; removing the definition of the term "cable service"; adding a definition for the term "Internet access service"; revising the definitions of the terms "communication services," "information service," "sales price," "service address," and "video service"; amending ss. 202.125, 202.16, and 202.24,

F.S.; conforming provisions to changes in terminology; amending s. 202.18, F.S.; removing a cross-reference to conform; amending s. 202.22, F.S.; revising provisions relating to a communications services dealer's liability for tax underpayments that result from the incorrect assignment of service addresses to local taxing jurisdictions and providing requirements and conditions with respect thereto; prohibiting the Department of Revenue from denying a dealer of communications services a deduction of a specified amount as a collection allowance under certain circumstances; amending s. 202.231, F.S.; requiring the Department of Revenue to aggregate monthly and make available to the public on a jurisdiction-by-jurisdiction basis certain sales and net tax information; amending ss. 203.01 and 624.105, F.S.; conforming cross-references; providing for certain retroactive effect; providing effective dates.

Rep. Grant moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 655—A bill to be entitled An act relating to biomedical research; amending s. 20.435, F.S.; extending the period during which certain expenditures may be made from the Biomedical Research Trust Fund; amending s. 215.5602, F.S., relating to James and Esther King Biomedical Research Program; revising the composition, terms, and duties of the Biomedical Research Advisory Council; providing that certain types of applications may, rather than shall, be considered for funding under the program; exempting grant programs under the purview of the council from ch. 120, F.S.; requiring the council to submit a progress report and specifying contents thereof; revising provisions relating to appointment, duties, and meetings of peer review panels; amending s. 381.922, F.S., relating to William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; revising provisions relating to the awarding of grants; providing that certain types of applications may, rather than shall, be considered for funding under the program; revising provisions relating to appointment, duties, and meetings of peer review panels; removing a requirement for a report to the Governor and the Legislature; amending s. 381.855, F.S., relating to Florida Center for Universal Research to Eradicate Disease; revising composition of an advisory council; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

THE SPEAKER PRO TEMPORE IN THE CHAIR

CS/CS/HB 99—A bill to be entitled An act relating to sexual exploitation; providing a short title; amending s. 39.001, F.S.; providing legislative intent and goals; conforming cross-references; amending s. 39.01, F.S.; revising the definitions of the terms "abuse," "child who is found to be dependent," and "sexual abuse of a child"; amending s. 39.401, F.S.; authorizing delivery of children alleged to be dependent and sexually exploited to short-term safe houses; creating s. 39.524, F.S.; requiring assessment of certain children for placement in a safe house; providing for use of such assessments; requiring an annual report concerning safe-house placements; creating s. 409.1678, F.S.; providing definitions; requiring circuits of the Department of Children and Family Services to address child welfare service needs of sexually exploited children as a component of their master plans; providing duties, responsibilities, and requirements for safe houses and their operators; providing for training for law enforcement officials who are likely to encounter sexually exploited children; authorizing rulemaking; amending s. 796.07, F.S.; providing for an increased civil penalty for soliciting another to commit prostitution or related acts; providing for the disposition of proceeds; amending s. 960.065, F.S.; allowing victim compensation for sexually exploited children; amending s. 985.115, F.S.; conforming provisions; providing an effective date.

—was read the second time by title.

Representative Fresen offered the following:

(Amendment Bar Code: 780657)

Amendment 1—Remove line 349 and insert:

409.175 and must have applied for accreditation within 1 year after being licensed. A safe house

Rep. Fresen moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 465—A bill to be entitled An act relating to district school board bonds; amending s. 1010.49, F.S.; revising provisions relating to the issuance and retirement of bonds; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 749—A bill to be entitled An act relating to consumer services; amending s. 20.14, F.S.; deleting provisions establishing the Division of Standards within the Department of Agriculture and Consumer Services; repealing s. 366.85, F.S., relating to responsibilities of the department for compliance with certain federal requirements related to consumer conciliatory conferences and energy conservation products, services, and loans; amending s. 472.005, F.S.; redefining the term "license" and defining the terms "consumer member" and "licensee" for purposes of provisions governing surveyors and mappers; amending s. 472.006, F.S.; directing the Department of Agriculture and Consumer Services to work cooperatively with the Department of Revenue to implement an automated method of disclosing information related to licensees; authorizing the Department of Agriculture and Consumer Services to suspend or deny the license of any licensee found not to be in compliance with a support order, subpoena, order to show cause, or written agreement; providing for reinstatement of a denied or suspended license; relieving the department of certain liability associated with the denial or suspension of a license; amending s. 472.011, F.S.; authorizing the department to waive license renewal fees for land surveyors and mappers under certain circumstances; authorizing the collection of an existing special assessment from inactive and delinquent licensees; amending s. 472.0131, F.S., relating to examinations; making technical changes; amending s. 472.015, F.S.; authorizing the department to require land surveyors or mappers to submit their social security numbers when applying for initial licensure or license renewal; providing conditions under which an application is deemed received; providing conditions under which the department may issue a license by endorsement; requiring an applicant to provide his or her social security number as required pursuant to federal law; specifying how a social security number may be used; amending s. 472.018, F.S., relating to continuing education; making technical changes; requiring that continuing education providers electronically provide certain information to the department; providing timeframes for reporting; requiring that the department establish a system to monitor licensee compliance with continuing education requirements; defining the term "monitor"; authorizing the department to refuse to renew a license until the applicant satisfies continuing education requirements; authorizing the department or board to impose additional penalties against applicants who fail to satisfy additional requirements; amending s. 472.0202, F.S.; conforming a cross-reference; amending s. 472.0203, F.S.; providing for license renewal notification by the department to be sent electronically to the licensee's last known e-mail address; amending s. 472.025, F.S.; providing that a professional surveyor or mapper whose license is revoked or suspended must return his or her seal to the executive director of the board, rather than to the secretary; creating s. 472.0337, F.S.; authorizing the department to administer oaths, take depositions, make inspections, issue and serve subpoenas and other process, and compel the attendance of witnesses and production of certain documents; providing for challenges to and enforcement of subpoenas and orders; amending s. 472.0351, F.S.; revising grounds for discipline; eliminating certain actions by a licensee which are grounds for disciplinary action; specifying what constitutes an action against a license in another state, territory, or country; specifying that the board may enter an order against a

surveyor or mapper who committed certain violations before obtaining a license; authorizing the board to require corrective action; prohibiting the department from issuing to or renewing the license of a person or business entity that has been assessed a fine, interest, costs, or attorney fees associated with an investigation or prosecution until the person pays them in full or complies with or satisfies all terms and conditions of the final order; amending s. 493.6105, F.S.; authorizing the Department of Agriculture and Consumer Services to waive firearms training requirements for the initial licensure of private investigative, private security, or repossession services under certain circumstances; amending s. 493.6113, F.S.; authorizing the department to waive firearms training requirements for license renewal of private investigative, private security, and repossession services under certain circumstances; amending s. 493.6118, F.S.; providing for disciplinary action to be taken against certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 493.6120, F.S.; providing for penalty provisions to apply to certain additional license classes and schools or training facilities for private investigators and private security and repossession services; amending s. 501.015, F.S., relating to the regulation of health studios; substituting the term "local business tax receipt" for the term "local occupational license"; amending s. 501.017, F.S.; making technical changes; clarifying that certain notice be provided in a health studio contract in at least 10-point boldface type; amending s. 501.059, F.S.; deleting requirement that telephone subscribers pay an initial listing charge for including their telephone numbers on the state's no sales solicitation calls listing; specifying the period that a subscriber's listing remains active; requiring the department to include certain listings from a national database on the state's listing; authorizing the department to impose administrative fines for violations; specifying that administrative proceedings are subject to the Administrative Procedure Act; requiring telecommunications companies to inform their customers of certain telephone solicitation requirements; deleting requirement that the Florida Public Service Commission adopt certain rules; amending s. 501.605, F.S.; providing that an applicant for a commercial telephone seller license may provide other valid forms of identification in lieu of a valid driver license number; removing the requirement that the applicant provide his or her social security number on the application; amending s. 501.607, F.S.; providing that an applicant for a telemarketing salesperson's license may provide other valid forms of identification in lieu of a driver license number; amending s. 501.911, F.S.; revising provisions for administration of the Antifreeze Act of 1978, to conform; amending s. 501.913, F.S.; requiring the registrant of a brand of antifreeze to assume full responsibility for the registration; requiring that a registrant of a brand of antifreeze not in production for distribution in this state must submit a notarized affidavit attesting to specified information; requiring that a certain sample size of each brand of antifreeze accompany the application for registration; amending s. 507.04, F.S.; requiring that the Department of Agriculture and Consumer Services be notified at least 10 days before any changes are made in the insurance coverage of a household moving service; amending s. 525.07, F.S.; revising required contents of seal clasps applied by meter mechanics after repair and adjustment of petroleum fuel measuring devices; amending s. 526.143, F.S.; authorizing the department to temporarily waive certain requirements for generators at retail motor fuel outlets which are used in preparation or response to an emergency or major disaster in another state; amending s. 526.50, F.S., relating to the sale of brake fluid; defining the terms "brand" and "formula"; amending s. 526.51, F.S.; conforming terminology; providing criteria for reregistering a previously registered brand and formula combination of brake fluid; providing for a fine for late submission of the application for reregistration and required materials; requiring a registrant to submit a notarized affidavit attesting that specified conditions have been satisfied if a registered brand and formula combination is not in production for distribution in this state; amending s. 526.52, F.S.; providing alternative criteria under which a brand of brake fluid may satisfy branding requirements; amending s. 526.53, F.S.; conforming terminology; requiring that stop-sale orders be served by the department on the owner of the brand name, the distributor, or other entity responsible for selling or distributing the product; providing that the department's representative, with the consent of the department, may dispose of certain unregistered brake fluid; amending s. 526.55, F.S.; replacing criminal sanctions with administrative and

monetary sanctions for violations of laws regulating the sale of brake fluid; amending s. 539.001, F.S.; eliminating the requirement that a pawnshop provide the Department of Agriculture and Consumer Services notice of a change in its location by certified or registered mail; amending s. 559.805, F.S.; eliminating a requirement that sellers of business opportunities provide the department with the social security numbers of their independent agents; amending s. 559.904, F.S., relating to the regulation of motor vehicle repair shops; substituting the term "business tax receipt" for the term "occupational license"; repealing s. 559.922, F.S., relating to the use of motor vehicle repair shop registration fees to provide financial assistance to motor vehicle repair shop employees who undertake certain technical training or courses; amending s. 559.928, F.S., relating to the regulation of sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; eliminating a requirement that an independent travel agent provide his or her social security number to the department; amending s. 559.9285, F.S.; conforming a cross-reference; amending s. 559.935, F.S., relating to an exemption from regulation provided for certain sellers of travel; substituting the term "business tax receipt" for the term "occupational license"; amending s. 570.29, F.S., relating to departmental divisions; conforming terminology; repealing ss. 570.46 and 570.47, F.S., relating to the powers and duties of the Division of Standards and the qualifications and duties of the director of the division; amending s. 570.544, F.S.; revising the powers and duties of the director of the Division of Consumer Services; amending s. 616.242, F.S.; removing an obsolete reference to the Bureau of Fair Rides Inspection; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 565—A bill to be entitled An act relating to family law; amending s. 61.075, F.S.; redefining the term "marital assets and liabilities" to include the value of the marital portion of the passive appreciation of nonmarital real property; authorizing a court to require security and the payment of a reasonable rate of interest if installment payments are required for the distribution of marital assets and liabilities; requiring the court to provide written findings regarding any installment payments; creating s. 61.0765, F.S.; providing formulas for the calculation of the value of the marital portion of nonmarital real property subject to equitable distribution; requiring the court in the dissolution action to use the formulas unless sufficient evidence is presented showing that the application of the formulas is not equitable; amending s. 61.08, F.S.; revising requirements relating to the awarding of durational alimony; requiring a court to make certain written findings concerning awards of durational alimony; requiring written findings regarding the incomes and standard of living of the parties after dissolution of marriage; amending s. 61.14, F.S.; revising provisions relating to the effect of a supportive relationship on an award of alimony; authorizing a court to award an obligor attorney fees and costs under certain circumstances; requiring a court to impute income to the obligee based on the analysis and factors set forth in specified provisions; amending s. 61.19, F.S.; prohibiting the separate adjudication of issues in a dissolution of marriage case within 180 days after filing unless a court finds that there are exceptional circumstances; authorizing the separate adjudication of issues in a dissolution of marriage case if the case is more than 180 days past filing; requiring the separate adjudication of issues of a dissolution of marriage case, absent a showing of irreparable harm, if the case is more than 365 days past filing; providing an effective date.

—was read the second time by title.

Representative Workman offered the following:

(Amendment Bar Code: 607357)

Amendment 1—Remove lines 139-172 and insert:
period of time following a marriage of short or moderate duration or following a marriage of long duration if there is no ongoing need for support on a long-term permanent basis. When awarding durational alimony, the court must make written findings that an award of rehabilitative or bridge-the-gap alimony or a combination thereof is not appropriate. An award of durational

alimony terminates upon the death of either party or upon the remarriage of the party receiving alimony. The amount of an award of durational alimony shall ~~may~~ be modified or terminated based upon a substantial change in circumstances or upon the existence of a supportive relationship in accordance with s. 61.14 unless the court makes written findings stating the exceptional circumstances as to why it should not be modified or terminated. ~~However,~~ The length of an award of durational alimony may not ~~be modified except under exceptional circumstances and may not~~ exceed the length of the marriage. If the court awards durational alimony for a length of time greater than 50 percent of the length of the marriage, the court must make written findings stating the circumstances warranting the length of the award.

(9) Notwithstanding any other law to the contrary, ~~an~~ The award of alimony may not leave the payor with significantly less net income or with a lower standard of living than the ~~net income of the~~ recipient unless there are written findings of exceptional circumstances. The court shall make written findings regarding the relative incomes and standards of living citing to evidence in the record and to this subsection.

Section 4. Paragraph (b) of subsection (1) of section 61.14, Florida Statutes, is amended, and subsection (12) is added to that section, to read:

61.14 Enforcement and modification of support, maintenance, or alimony agreements or orders.—

(1)

(b)1. The court must, except upon a written finding of exceptional circumstances, ~~may~~ reduce or terminate an award of

Rep. Workman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 291—A bill to be entitled An act relating to youth athletes; amending ss. 943.0438 and 1006.20, F.S.; requiring an independent sanctioning authority for youth athletic teams and the Florida High School Athletic Association to adopt guidelines, bylaws, and policies relating to the nature and risk of concussion and head injury in youth athletes; requiring informed consent for participation in practice or competition; requiring removal from practice or competition under certain circumstances and written medical clearance to return; providing an effective date.

—was read the second time by title.

Representative Renuart offered the following:

(Amendment Bar Code: 714285)

Amendment 1 (with directory and title amendments)—Between lines 78 and 79, insert:

(h) The organization shall adopt bylaws for the establishment and duties of a sports medicine advisory committee composed of the following members:

1. Eight physicians licensed under chapter 458 or chapter 459 with at least one member licensed under chapter 459.
2. One chiropractor licensed under chapter 460.
3. One podiatrist licensed under chapter 461.
4. One dentist licensed under chapter 466.
5. Three athletic trainers licensed under part XIII of chapter 468.
6. One member who is a current or retired head coach of a high school in the state.

DIRECTORY AMENDMENT

Remove line 47 and insert:

Section 2. Paragraphs (e), (f), (g), and (h) are added to

TITLE AMENDMENT

Remove line 11 and insert:

and written medical clearance to return; requiring the Florida High School Athletic Association to adopt bylaws for the establishment and duties of a sports medicine advisory committee; specifying membership; providing an

Rep. Renuart moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 479—A bill to be entitled An act relating to animal control; amending s. 381.0031, F.S.; requiring animal control officers, wildlife officers, and disease laboratories to report potential health risks to humans from animals; amending s. 828.055, F.S.; providing for use of additional prescription drugs for euthanasia and chemical immobilization of animals; providing for rulemaking to expand the list of additional prescription drugs; providing that the Board of Pharmacy or the Department of Health may revoke or suspend a permit upon a determination that the permittee or its employees or agents is using or has used an authorized drug for other purposes or if a permittee has committed specified violations; amending s. 828.058, F.S.; restricting the use of intracardial injection for euthanizing animals; prohibiting the delivery of a lethal solution or powder by adding it to food; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1009—A bill to be entitled An act relating to low-speed vehicles; amending s. 319.14, F.S.; authorizing the conversion of a vehicle titled or branded and registered as a low-speed vehicle to a golf cart; providing procedures; providing for a fee; amending s. 320.01, F.S.; revising the definition of the term "low-speed vehicle" to include vehicles that are not electric powered; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1379—A bill to be entitled An act relating to water and wastewater utilities; creating the Study Committee on Investor-Owned Water and Wastewater Utility Systems; providing for membership and terms of service; prohibiting compensation of the members; providing for reimbursement of the members for certain expenses; providing for removal or suspension of members by the appointing authority; requiring the Public Service Commission to provide staff, information, assistance, and facilities that are deemed necessary for the committee to perform its duties; providing for funding from the Florida Public Service Regulatory Trust Fund; providing duties of the committee; providing for public meetings; requiring the committee to report its findings to the Governor, the Legislature, and appropriate agencies and make certain recommendations; providing for future termination of the committee; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1237—A bill to be entitled An act relating to the Department of Citrus; amending s. 20.29, F.S.; providing for the appointment, compensation, and powers and duties of the department's executive director; deleting and conforming obsolete provisions relating to the Florida Citrus Commission; amending ss. 570.55 and 600.041, F.S.; conforming cross-references; amending s. 601.01, F.S.; revising a short title; amending s. 601.03, F.S.; defining the term "department" and conforming definitions for purposes of the Florida Citrus Code; amending s. 601.04, F.S.; revising the qualifications and terms of members of the Florida Citrus Commission; providing for staggered terms of members appointed from each citrus district; providing for shortened terms of current members; specifying that members are eligible for reappointment; deleting obsolete provisions; requiring the commission to elect a chair and secretary; deleting legislative intent relating to redistricting of the commission; amending ss. 601.045, 601.05, 601.06, 601.07, and 601.08, F.S.; conforming provisions; amending s. 601.09, F.S.; providing legislative intent; authorizing the commission to submit recommendations to the Legislature for redistricting of the state's citrus districts; amending s. 601.10, F.S.; revising the department's powers; deleting provisions relating to the appointment,

discharge, compensation, and powers and duties of the department's executive director; establishing staffing requirements for the department; deleting requirements relating to the days, hours, and other conditions of employment for department employees; conforming provisions; amending s. 601.101, F.S.; conforming provisions; amending s. 601.11, F.S.; revising the powers and duties of the department to adopt maturity and quality standards for citrus fruit and food products thereof; authorizing the department to issue permits for the export of citrus fruit grown in the state to certain foreign countries; authorizing the department to limit increases in spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; requiring the commission to issue permits for processors of concentrated orange juice into which nutritive sweetening ingredients are added and to suspend or revoke the permits of processors that violate certain rules; requiring the commission to issue emergency quality assurance orders upon determining that freezing temperatures have caused damage or freeze-related injury to citrus fruit; requiring the department to adopt rules; amending s. 601.111, F.S.; revising the department's authority to modify maturity standards for citrus fruit and the number of commission members required to approve such modifications; revising legislative intent; authorizing the department to adopt emergency rules under certain conditions; amending s. 601.13, F.S.; revising the department's powers and duties for citrus research; providing for research related to disease and crop efficiency; conforming provisions; amending s. 601.15, F.S.; redesignating the advertising excise tax on citrus fruit as an assessment; revising the maximum rates of such assessments; revising the guarantee requirements for assessment payments; conforming provisions; amending s. 601.152, F.S.; revising the number of commission members required to issue marketing orders for special marketing campaigns and impose assessments upon citrus handlers to defray the expenses of such campaigns; conforming provisions; amending s. 601.155, F.S.; redesignating the equalizing excise tax on processed orange and grapefruit products as an assessment; revising the guarantee requirements for assessment payments; conforming provisions; amending ss. 601.24, 601.25, 601.28, 601.31, 601.32, 601.33, 601.34, 601.35, 601.37, 601.38, 601.40, 601.43, 601.44, 601.45, 601.46, 601.49, 601.50, 601.501, 601.51, 601.52, 601.54, 601.55, 601.56, 601.57, 601.58, 601.60, and 601.601, F.S.; conforming provisions and cross-references; amending s. 601.61, F.S.; specifying that the amount of bonds or certificates of deposit that must be furnished by citrus fruit dealer licensees shall be determined by the department pursuant to department rules; deleting obsolete provisions relating to the applicability and effect of certain provisions if such provisions had been determined invalid; amending ss. 601.64, 601.66, 601.67, 601.69, 601.70, 601.701, 601.731, 601.74, 601.75, 601.76, 601.77, 601.78, and 601.80, F.S.; conforming provisions; amending ss. 601.85 and 601.86, F.S.; specifying dimensions for standard shipping boxes and standard field boxes for fresh citrus fruit; revising circumstances under which such standard boxes must be used; amending ss. 601.91, 601.9901, 601.9902, 601.9903, and 601.99035, F.S.; conforming provisions; amending s. 601.99036, F.S.; revising requirements for the commission's approval of changes in the salaries of certain employees; amending ss. 601.9904, 601.9908, 601.9910, 601.9911, 601.9918, and 601.992, F.S.; conforming provisions; amending s. 603.161, F.S.; conforming a cross-reference; repealing ss. 601.16, 601.17, 601.18, 601.19, 601.20, 601.21, and 601.22, F.S., relating to maturity and quality standards for grapefruit, oranges, and tangerines; repealing s. 601.87, F.S., relating to limits on increased spacing between stacked field boxes caused by the placement of cleats or other devices on the field boxes; repealing ss. 601.90 and 601.901, F.S., relating to the issuance of emergency quality assurance orders following freezing temperatures that cause damage or freeze-related injury to citrus fruit and the use of such freeze-damaged citrus fruit in frozen concentrated products; repealing s. 601.981, F.S., relating to permits for the export to certain foreign countries of citrus fruit grown in the state and quality standards for such exported fruit; repealing s. 601.9905, F.S., relating to quality standards and labeling requirements for canned orange juice; repealing s. 601.9906, F.S., relating to quality standards for certain grapefruit juice products; repealing ss. 601.9907, 601.9909, and 601.9913, F.S., relating to quality standards and labeling requirements for canned blends of orange juice and grapefruit juice, frozen concentrated orange juice, and high-density frozen concentrated orange juice sold in retail, institutional,

or bulk size containers; repealing s. 601.9914, F.S., relating to authority of the commission to adopt rules modifying citrus juice quality standards for specified purposes; repealing s. 601.9916, F.S., relating to the issuance of permits for the processing, shipping, and sale of frozen concentrated orange juice or concentrated orange juice for manufacturing into which certain nutritive sweetening ingredients are added, the inspection of such processors, and quality standards and labeling requirements for such concentrated orange juice; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1239—A bill to be entitled An act relating to public records; amending s. 601.10, F.S.; providing an exemption from public records requirements for nonpublished reports or data related to certain studies or research related to citrus fruit, citrus fruit juices, and the products and byproducts thereof that is conducted, caused to be conducted, or funded by the Department of Citrus; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1089—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for personal identifying and location information of specified personnel of county tax collectors and the spouses and children of such personnel; providing for future review and repeal of the exemption; providing an exemption from public records requirements for personal identifying and location information of current and former investigators and inspectors of the Department of Business and Professional Regulation and the spouses and children of such investigators and inspectors; providing a condition to the exemption; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Representative Adkins offered the following:

(Amendment Bar Code: 210227)

Amendment 1 (with title amendment)—Remove lines 34-211 and insert: personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement; the home addresses, telephone numbers, social security numbers, photographs, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1).

b. The home addresses, telephone numbers, and photographs of firefighters certified in compliance with s. 633.35; the home addresses, telephone numbers, photographs, and places of employment of the spouses and children of such firefighters; and the names and locations of schools and day care facilities attended by the children of such firefighters are exempt from s. 119.07(1).

c. The home addresses and telephone numbers of justices of the Supreme Court, district court of appeal judges, circuit court judges, and county court judges; the home addresses, telephone numbers, and places of employment of the spouses and children of justices and judges; and the names and locations of schools and day care facilities attended by the children of justices and judges are exempt from s. 119.07(1).

d. The home addresses, telephone numbers, social security numbers, and photographs of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; the home addresses, telephone numbers, social security numbers, photographs, and places of employment of the spouses and children of current or former state attorneys,

assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors; and the names and locations of schools and day care facilities attended by the children of current or former state attorneys, assistant state attorneys, statewide prosecutors, or assistant statewide prosecutors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

e. The home addresses and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; the home addresses, telephone numbers, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer provides a written statement that the general magistrate, special magistrate, judge of compensation claims, administrative law judge of the Division of Administrative Hearings, or child support hearing officer has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15, and shall stand repealed on October 2, 2013, unless reviewed and saved from repeal through reenactment by the Legislature.

f. The home addresses, telephone numbers, and photographs of current or former human resource, labor relations, or employee relations directors, assistant directors, managers, or assistant managers of any local government agency or water management district whose duties include hiring and firing employees, labor contract negotiation, administration, or other personnel-related duties; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

g. The home addresses, telephone numbers, and photographs of current or former code enforcement officers; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such personnel; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

h. The home addresses, telephone numbers, places of employment, and photographs of current or former guardians ad litem, as defined in s. 39.820; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such persons; and the names and locations of schools and day care facilities attended by the children of such persons are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, if the guardian ad litem provides a written statement that the guardian ad litem has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

i. The home addresses, telephone numbers, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, juvenile justice detention officers I and II, juvenile justice detention officer supervisors, juvenile justice residential officers, juvenile justice residential officer supervisors I and II, juvenile justice counselors, juvenile justice counselor supervisors, human services counselor administrators, senior human services counselor administrators, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice; the names, home addresses, telephone numbers, and places of employment of spouses and children of such personnel; and the names and locations of schools and day care facilities

attended by the children of such personnel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

j. The home addresses, telephone numbers, and photographs of current or former public defenders, assistant public defenders, criminal conflict and civil regional counsel, and assistant criminal conflict and civil regional counsel; the home addresses, telephone numbers, and places of employment of the spouses and children of such defenders or counsel; and the names and locations of schools and day care facilities attended by the children of such defenders or counsel are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

k. The home addresses, telephone numbers, and photographs of current or former investigators or inspectors of the Department of Business and Professional Regulation; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such current or former investigators and inspectors; and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the investigator or inspector has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

l. The home addresses and telephone numbers of county tax collectors; the names, home addresses, telephone numbers, and places of employment of the spouses and children of such tax collectors; and the names and locations of schools and day care facilities attended by the children of such tax collectors are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution if the county tax collector has made reasonable efforts to protect such information from being accessible through other means available to the public. This sub-subparagraph is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2017, unless reviewed and saved from repeal through reenactment by the Legislature.

2. An agency that is the custodian of the information specified in subparagraph 1. and that is not the employer of the officer, employee, justice, judge, or other person specified in subparagraph 1. shall maintain the exempt status of that information only if the officer, employee, justice, judge, other person, or employing agency of the designated employee submits a written request for maintenance of the exemption to the custodial agency.

Section 2. The Legislature finds that it is a public necessity that the home addresses, telephone numbers, and photographs of county tax collectors, the names, home addresses, telephone numbers, and places of employment of the spouses and children of such tax collectors, and the names and locations of schools and day care facilities attended by the children of such tax collectors be made exempt from public record requirements. It is also the finding of the Legislature that it is a public necessity that the home addresses, telephone numbers, and photographs of current and former investigators and inspectors of the Department of Business and Professional Regulation, the names, home addresses, telephone numbers, and places of employment of the spouses and children of such current or former investigators and inspectors, and the names and locations of schools and day care facilities attended by the children of such current or former investigators and inspectors be made exempt from public record requirements. The Legislature finds that the release of such identifying and location information might place county tax collectors and investigators and inspectors of the Department of Business and Professional Regulation and their family members in danger of physical and emotional harm from disgruntled individuals who have contentious reactions to revenue collection or enforcement actions or child support enforcement actions of a county tax collector, or whose business

TITLE AMENDMENT

Remove lines 5-15 and insert:

location information of current and former investigators and inspectors of the Department of Business and Professional Regulation and the spouses and children of such investigators and inspectors; providing a condition to the exemption; providing for future review and repeal of the exemption; providing an exemption from public record requirements for personal identifying and location information of county tax collectors and the spouses and children of such tax collectors; providing a condition to the exemption; providing for future review and repeal of the exemption; providing a

Rep. Adkins moved the adoption of the amendment.

Representative Adkins offered the following:

(Amendment Bar Code: 896455)

Amendment 1 to Amendment 1—Remove lines 167-168 of the amendment and insert:
necessity that the home addresses and telephone numbers of county tax collectors, the names, home addresses,

Rep. Adkins moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1197—A bill to be entitled An act relating to agriculture; amending s. 479.11, F.S.; conforming provisions; amending s. 586.02, F.S.; defining the term "apiculture" for purposes of the Florida Honey Certification and Honeybee Law; conforming provisions; creating s. 586.055, F.S.; authorizing apiaries to be located on certain lands; amending s. 586.10, F.S.; providing for preemption to the state of authority to regulate, inspect, and permit managed honeybee colonies; providing that certain local government ordinances are superseded; revising the powers and duties of the Department of Agriculture and Consumer Services relating to honey certification and honeybees; requiring the department to adopt rules and, before adopting certain rules, consult with local governments and other affected stakeholders; amending s. 604.50, F.S.; defining the term "farm sign"; providing an exemption from the Florida Building Code for farm signs; prohibiting farm signs located on public roads from violating certain standards; limiting the authority of local governments to enforce certain requirements with respect to farm signs; amending s. 823.14, F.S.; revising definitions relating to the Florida Right to Farm Act; limiting the conditions under which apiculture or the placement of apiaries may be deemed public or private nuisances; limiting the authority of local governments to regulate apiculture and the placement of apiaries on agricultural land; reenacting ss. 163.3162(2)(b), 163.3163(3)(b), 193.461(5), 403.9337(4), 570.961(4), and 812.015(1)(g), F.S., relating to agricultural lands and practices, the Agricultural Land Acknowledgement Act, the classification and tax assessment of agricultural lands, an exemption from certain provisions related to the Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes, provisions related to the promotion of agritourism, and penalties for retail or farm theft, respectively, to incorporate amendments made by the act to s. 823.14, F.S., in references thereto; providing an effective date.

—was read the second time by title.

Representative Albritton offered the following:

(Amendment Bar Code: 312697)

Amendment 1 (with title amendment)—Between lines 44 and 45, insert:
Section 1. Subsection (2) and paragraphs (b), (c), and (i) of subsection (3) of section 163.3162, Florida Statutes, are amended to read:
163.3162 Agricultural Lands and Practices.—

(2) DEFINITIONS.—As used in this section, the term:

(a) "Farm" has the same meaning as provided defined in s. 823.14.

(b) "Farm operation" has the same meaning as provided defined in s. 823.14.

(c) "Farm product" means any plant, as defined in s. 581.011, or animal useful to humans and includes, but is not limited to, any product derived therefrom.

(d) "Governmental entity" has the same meaning as provided in s. 164.1031. The term does not include a water control district established under chapter 298 or a special district created by special act for water management purposes.

(3) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter:

(b) A governmental entity ~~county~~ may not charge an assessment or fee for stormwater management on a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if the farm operation has a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit or implements best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program.

(c) For each governmental entity ~~county~~ that, before March 1, 2009, adopted a stormwater utility ordinance or resolution, adopted an ordinance or resolution establishing a municipal services benefit unit, or adopted a resolution stating the governmental entity's ~~county's~~ intent to use the uniform method of collection pursuant to s. 197.3632 for such stormwater ordinances, the governmental entity ~~county~~ may continue to charge an assessment or fee for stormwater management on a bona fide farm operation on land classified as agricultural pursuant to s. 193.461, if the ordinance or resolution provides credits against the assessment or fee on a bona fide farm operation for the water quality or flood control benefit of:

1. The implementation of best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program;

2. The stormwater quality and quantity measures required as part of a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit; or

3. The implementation of best management practices or alternative measures which the landowner demonstrates to the governmental entity ~~county~~ to be of equivalent or greater stormwater benefit than those provided by implementation of best management practices adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program, or stormwater quality and quantity measures required as part of a National Pollutant Discharge Elimination System permit, environmental resource permit, or works-of-the-district permit.

(i) The provisions of this subsection that limit a governmental entity's ~~county's~~ authority to adopt or enforce any ordinance, regulation, rule, or policy, or to charge any assessment or fee for stormwater management, apply only to a bona fide farm operation as described in this subsection.

Remove lines 232-238

TITLE AMENDMENT

Remove lines 2-29 and insert:

An act relating to agriculture; amending s. 163.3162, F.S.; defining the term "governmental entity"; prohibiting certain governmental entities from charging stormwater management assessments or fees on certain bona fide farm operations except under certain circumstances; providing for applicability; conforming provisions; amending s. 479.11, F.S.; conforming

provisions; amending s. 586.02, F.S.; defining the term "apiculture" for purposes of the Florida Honey Certification and Honeybee Law; conforming provisions; creating s. 586.055, F.S.; authorizing apiaries to be located on certain lands; amending s. 586.10, F.S.; providing for preemption to the state of authority to regulate, inspect, and permit managed honeybee colonies; providing that certain local government ordinances are superseded; revising the powers and duties of the Department of Agriculture and Consumer Services relating to honey certification and honeybees; requiring the department to adopt rules and, before adopting certain rules, consult with local governments and other affected stakeholders; amending s. 604.50, F.S.; defining the term "farm sign"; providing an exemption from the Florida Building Code for farm signs; prohibiting farm signs located on public roads from violating certain standards; limiting the authority of local governments to enforce certain requirements with respect to farm signs; amending s. 823.14, F.S.; revising definitions relating to the Florida Right to Farm Act; limiting the conditions under which apiculture or the placement of apiaries may be deemed public or private nuisances; limiting the authority of local governments to regulate apiculture and the placement of apiaries on agricultural land; reenacting ss.

Rep. Albritton moved the adoption of the amendment, which was adopted.

Representative Albritton offered the following:

(Amendment Bar Code: 655691)

Amendment 2 (with title amendment)—Between lines 61 and 62, insert:

Section 2. Paragraph (c) of subsection (16) of section 570.07, Florida Statutes, is amended to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(16) To enforce the state laws and rules relating to:

(c) Registration, labeling, inspection, sale, use, composition, formulation, wholesale and retail distribution, and analysis of commercial stock feeds and registration, labeling, inspection, and analysis of commercial fertilizers;

In order to ensure uniform health and safety standards, the adoption of standards and fines in the subject areas of paragraphs (a)-(n) is expressly preempted to the state and the department. Any local government enforcing the subject areas of paragraphs (a)-(n) must use the standards and fines set forth in the pertinent statutes or any rules adopted by the department pursuant to those statutes.

Section 3. Paragraph (g) is added to subsection (2) of section 580.036, Florida Statutes, to read:

580.036 Powers and duties.—

(2) The department is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 to enforce the provisions of this chapter. These rules shall be consistent with the rules and standards of the United States Food and Drug Administration and the United States Department of Agriculture, when applicable, and shall include:

(g) Establishing standards for the sale, use, and distribution of commercial feed or feedstuff to ensure usage that is consistent with animal safety and wellbeing and, to the extent that meat, poultry, and other animal products for human consumption may be affected by commercial feed or feedstuff, to ensure that these products are safe for human consumption. Such standards, if adopted, must be developed in consultation with the Commercial Feed Technical Council created under s. 580.151.

TITLE AMENDMENT

Remove line 3 and insert:

F.S.; conforming provisions; amending s. 570.07, F.S.; revising the powers and duties of the Department of Agricultural and Consumer Services to enforce laws and rules relating to the use of commercial stock feeds; amending s. 580.036, F.S.; authorizing the department to adopt rules establishing certain standards for regulating commercial feed or feedstuff;

requiring the department to consult with the Commercial Feed Technical Council in the development of such rules; amending s. 586.02, F.S.;

Rep. Albritton moved the adoption of the amendment, which was adopted.

Representative Albritton offered the following:

(Amendment Bar Code: 597461)

Amendment 3 (with title amendment)—Between lines 184 and 185, insert:

Section 5. Paragraph (a) of subsection (1) of section 599.004, Florida Statutes, is amended to read:

599.004 Florida Farm Winery Program; registration; logo; fees.—

(1) The Florida Farm Winery Program is established within the Department of Agriculture and Consumer Services. Under this program, a winery may qualify as a tourist attraction only if it is registered with and certified by the department as a Florida Farm Winery. A winery may not claim to be certified unless it has received written approval from the department.

(a) To qualify as a certified Florida Farm Winery, a winery ~~must~~ shall meet the following standards:

1. Produce or sell less than 250,000 gallons of wine annually.
2. Maintain a minimum of ~~5~~ 40 acres of owned or managed ~~land~~ vineyards in Florida ~~which produces commodities used in the production of wine.~~
3. Be open to the public for tours, tastings, and sales at least 30 hours each week.
4. Make annual application to the department for recognition as a Florida Farm Winery, on forms provided by the department.
5. Pay an annual application and registration fee of \$100.

Section 6. For the purpose of incorporating the amendment made by this act to section 599.004, Florida Statutes, in a reference thereto, subsection (5) of section 561.24, Florida Statutes, is reenacted to read:

561.24 Licensing manufacturers as distributors or registered exporters prohibited; procedure for issuance and renewal of distributors' licenses and exporters' registrations.—

(5) Notwithstanding any of the provisions of the foregoing subsections, any corporation which holds a license as a distributor on June 3, 1947, shall be entitled to a renewal thereof, provided such corporation complies with all of the provisions of the Beverage Law of Florida, as amended, and of this section and establishes by satisfactory evidence to the division that, during the 6-month period next preceding its application for such renewal, of the total volume of its sales of spirituous liquors, in either dollars or quantity, not more than 40 percent of such spirituous liquors sold by it, in either dollars or quantity, were manufactured, rectified, or distilled by any corporation with which the applicant is affiliated, directly or indirectly, including any corporation which owns or controls in any way any stock in the applicant corporation or any corporation which is a subsidiary or affiliate of the corporation so owning stock in the applicant corporation. Any manufacturer of wine holding a license as a distributor on the effective date of this act shall be entitled to a renewal of such license notwithstanding the provisions of subsections (1)-(5). This section does not apply to any winery qualifying as a certified Florida Farm Winery under s. 599.004.

TITLE AMENDMENT

Remove line 17 and insert:

stakeholders; amending s. 599.004, F.S.; revising qualifications for a certified Florida Farm Winery; reenacting s. 561.24(5), F.S., relating to limitations on the issuance of wine distributor licenses and exporter registrations, to incorporate changes made by the act to s. 599.004, F.S., in a reference thereto; amending s. 604.50, F.S.; defining the

Rep. Albritton moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 449—A bill to be entitled An act relating to public fairs and expositions; amending s. 616.001, F.S.; redefining existing terms and defining the terms "annual public fair" and "concession"; amending s. 616.01, F.S., relating to requirements for the proposed charter of an annual public fair; revising provisions to conform to changes made by the act; amending s. 616.02, F.S.; providing that the primary objective of a fair association is the holding, conducting, and promoting of public fairs or expositions; amending s. 616.03, F.S.; providing that a fair association may file its duly approved charter with the Department of State in addition to the Department of Agriculture and Consumer Services for notice purposes; amending s. 616.05, F.S.; providing the process by which a fair association may amend its charter; requiring a fair association that files its charter with the Department of State to file a copy of amendments to its charter with that department; amending s. 616.051, F.S.; revising provisions regarding the process by which a fair association may dissolve its charter; amending s. 616.07, F.S.; revising provisions regarding the distribution of public funds and property when a fair association is dissolved; clarifying that certain authorized projects, activities, events, programs, and uses serve an essential governmental purpose and, therefore, are exempt from taxation; providing for applicability of such exemptions; amending s. 616.08, F.S.; requiring each fair association to hold an annual public fair; authorizing the fair association to license certain property and to grant, lease, rent, or license space for exhibits and concessions; requiring the fair association to stimulate public interest in the benefit and development of certain resources of the state, any county, or a municipality, including facilities for specified uses; providing that certain fair associations are noncommercial activity providers; amending s. 616.101, F.S.; revising provisions related to the review of association accounts and records; amending s. 616.11, F.S.; clarifying the rights of the association to use certain property for public purposes; adding the Department of Transportation to the list of governmental entities that may make contributions to a fair association to assist it in carrying out its purpose; authorizing state, county, and municipal governments to fund certain projects at or connected with public fairs and expositions; amending s. 616.12, F.S.; revising provisions relating to the exemption from certain local business taxes for annual public fairs held by a fair association; amending s. 616.121, F.S., relating to a penalty imposed for making false application for a permit; replacing the term "exhibitions" with the term "annual public fair" to conform to changes made by the act; amending s. 616.14, F.S.; prohibiting a fair association from conducting more than one annual public fair each calendar year; amending ss. 616.15 and 616.17, F.S., relating to procedures for obtaining a permit from the Department of Agriculture and Consumer Services to conduct a public fair; revising provisions to conform to changes made by the act; revising requirements for obtaining a departmental waiver from minimum exhibit requirements; amending s. 616.185, F.S.; revising provisions prohibiting the offense of trespass upon the grounds or facilities of a public fair; amending s. 616.19, F.S.; revising provisions relating to the designation of fairs; amending s. 616.21, F.S.; revising provisions related to the expenditure of appropriated funds; amending s. 616.23, F.S.; removing certain limitations on the use of buildings by counties, municipalities, or fair associations; amending s. 616.24, F.S.; revising provisions related to enforcement; amending s. 288.1175, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 621—A bill to be entitled An act relating to nursing homes and related health care facilities; amending s. 83.42, F.S.; clarifying that the transfer and discharge of facility residents are governed by nursing home law; amending s. 400.021, F.S.; deleting a requirement that a resident care plan be signed by certain persons; amending s. 400.0239, F.S.; conforming a provision to changes made by the act; amending s. 400.0255, F.S.; revising provisions relating to hearings on resident transfer or discharge; amending s. 400.063, F.S.; deleting an obsolete cross-reference; amending s. 400.071, F.S.; deleting provisions requiring a license applicant to submit a signed affidavit relating to financial or ownership interests, the number of beds, copies of civil verdicts or judgments involving the applicant, and a plan for quality assurance

and risk management; amending s. 400.0712, F.S.; revising provisions relating to the issuance of inactive licenses; amending s. 400.111, F.S.; providing that a licensee must provide certain information relating to financial or ownership interests if requested by the Agency for Health Care Administration; amending s. 400.1183, F.S.; revising requirements relating to facility grievance reports; amending s. 400.141, F.S.; revising provisions relating to the provision of respite care in a facility; deleting requirements for the submission of certain reports to the agency relating to ownership interests, staffing ratios, and bankruptcy; deleting an obsolete provision; amending s. 400.142, F.S.; deleting the agency's authority to adopt rules relating to orders not to resuscitate; amending s. 400.147, F.S.; revising provisions relating to incident reports; deleting certain reporting requirements; repealing s. 400.148, F.S., relating to the Medicaid "Up-or-Out" Quality of Care Contract Management Program; amending s. 400.19, F.S.; revising provisions relating to agency inspections; amending s. 400.191, F.S.; authorizing the facility to charge a fee for copies of resident records; amending s. 400.23, F.S.; specifying the content of rules relating to staffing requirements for residents under 21 years of age; amending s. 400.462, F.S.; revising the definition of "remuneration" to exclude items having a value of \$10 or less; amending ss. 430.80, 430.81, and 651.118, F.S.; conforming cross-references; amending s. 468.1695, F.S.; providing that a health services administration or an equivalent major shall satisfy the education requirements for nursing home administrator applicants; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1443—A bill to be entitled An act relating to local administrative action to abate public nuisances and criminal gang activity; amending s. 893.138, F.S.; authorizing a local administrative board to declare a place to be a public nuisance if the place is used on more than two occasions within a 6-month period as the site of the storage of a controlled substance with intent to unlawfully sell or deliver the controlled substance off the premises; authorizing an administrative board to hear complaints regarding any pain-management clinic declared to be a public nuisance; providing that an order entered against a person for a public nuisance expires after 1 year or at an earlier time if so stated in the order unless the person has violated the order during the term of the order; requiring that the board conduct a hearing to determine whether the person violated the administrative order; authorizing an administrative board to seek temporary and permanent injunctive relief against any pain-management clinic declared to be a public nuisance; authorizing the board to extend the term of the order by up to 1 additional year and to impose a penalty if the board finds that the person violated the order; authorizing a county or municipal ordinance to include fines for days of public nuisance activities outside the 6-month period in which the minimum number of activities are shown to have occurred; authorizing a local ordinance to provide for continuing jurisdiction over a place or premises that are subject to an extension of the administrative order; providing an effective date.

—was read the second time by title.

Representative Frishe offered the following:

(Amendment Bar Code: 170795)

Amendment 1 (with title amendment)—Remove line 71 and insert: be abated pursuant to ~~the procedures provided in~~ this section if the county or municipality has given prior notice to the owner of the place or premises of its intent to declare the place or premises a public nuisance and afforded the owner of the place or premises the opportunity to abate the nuisance before taking any official action against the place or premises pursuant to this section.

TITLE AMENDMENT

Remove line 10 and insert:

off the premises; prohibiting a county or municipality from declaring a place or premises a public nuisance unless the county or municipality gives prior notice to the owner of the place or premises of its intent to declare the place

or premises a public nuisance and affords the owner an opportunity to abate the nuisance; authorizing an administrative board

Rep. Frishe moved the adoption of the amendment.

Representative Frishe offered the following:

(Amendment Bar Code: 624289)

Substitute Amendment 1 (with title amendment)—Remove lines 86-98 and insert:

(4) Any county or municipality may, by ordinance, create an administrative board to hear complaints regarding the nuisances described in ~~subsections (2) and (3).~~ Any employee, officer, or resident of the county or municipality may bring a complaint before the board. Upon receiving a complaint, the county or municipality must give written notice to the owner of the place or premises at his or her last known address of the complaint and afford the owner an opportunity to abate the nuisance before taking any official action against the place or premises pursuant to this section. If the nuisance is not abated in the specified time period, the board may conduct after giving not less than 3 days' written notice of such complaint to the owner of the place or premises at his or her last known address. After a hearing at ~~in~~ which the board may consider any evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his or her defense. After the hearing, the board may declare the place or premises to be a public nuisance as described in subsection (2) or subsection (3).

TITLE AMENDMENT

Remove line 12 and insert:

clinic declared to be a public nuisance; prohibiting a county or municipality from declaring a place or premises a public nuisance unless the county or municipality gives notice to the owner of the place or premises of its intent to declare the place or premises a public nuisance and affords the owner an opportunity to abate the nuisance; providing

Rep. Frishe moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 221—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1357—A bill to be entitled An act relating to district school boards; amending s. 1001.371, F.S.; requiring that each district school board organize and elect a chair in November and, in an election year, elect a chair in compliance with requirements for a general election year; providing an exception if the chair is elected by a districtwide vote; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 409—A bill to be entitled An act relating to alien insurers; amending s. 624.402, F.S.; revising a provision exempting alien insurers from being required to obtain a certificate of authority; deleting insurer's ownership of or control over affiliated persons as disqualification for exemptions; revising the definition of the term "nonresident"; exempting

alien life or annuity insurers from obtaining a certificate of authority based upon certain requirements; establishing conditions; providing requirements to maintain exemptions; authorizing the Office of Insurance Regulation to conduct examinations or investigations; providing application and enforcement authority with respect to pt. IX of ch. 626, relating to unfair insurance trade practices; exempting eligible insurers from payment of premium taxes; requiring that certain applications for a life insurance policy or annuity contract contain specified statements; providing for violations and penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 393—A bill to be entitled An act relating to recreational vehicle dealers; amending s. 320.771, F.S.; authorizing such dealers to obtain certificates of title for recreational vehicles; providing limitations and requirements; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 729—A bill to be entitled An act relating to hiring, leasing, or obtaining personal property or equipment with the intent to defraud; amending s. 812.155, F.S.; providing that in a prosecution, the failure to redeliver property or equipment within a specified time after receiving a demand for return delivered by a courier service with tracking capability or by certified mail, return receipt requested, or within a specified time after delivery by the courier service or return receipt from the certified mailing of the demand for return, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that notice sent by delivery by courier with tracking capability to the address given by the renter at the time of the rental is sufficient and equivalent to notice having been received by the renter, if the notice is returned undelivered; providing that in a prosecution for failing to pay any amount due which is incurred as the result of the failure to redeliver property or equipment after the rental period expires, and after the demand for return is made, is prima facie evidence of abandonment or refusal to redeliver the property or equipment; providing that a demand for return of overdue property or equipment and for payment of amounts due may be made by courier service with tracking capability; providing that possession of personal property or equipment by a third party does not alleviate the lessee of his or her obligation to return the personal property or equipment according to the terms stated in the contract; providing an exception when the personal property or equipment was obtained without the lessee's consent; providing that a lessor of a vehicle that is not returned at the conclusion of a lease is entitled to report the vehicle as stolen to a law enforcement agency and have the vehicle listed as stolen on any local or national registry of such vehicles; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 691—A bill to be entitled An act relating to beach management; amending s. 161.041, F.S.; specifying that demonstration to the Department of Environmental Protection of the adequacy of a project's design and construction is supported by certain evidence; authorizing the department to issue permits for an incidental take authorization under certain circumstances; requiring the department to adopt certain rules involving the excavation and placement of sediment; requiring the department to justify items listed in a request for additional information; requiring the department to adopt guidelines by rule; providing legislative intent with regard to permitting for periodic maintenance of certain beach nourishment and inlet management projects; requiring the department to amend specified rules to streamline such permitting; providing a permit life for certain joint coastal permits; amending s. 161.101, F.S.; requiring the department to maintain certain beach management project information on its website; requiring the department to notify the Governor's Office and the Legislature concerning any significant changes in project funding levels; amending s. 403.813, F.S.; providing a

permit exemption for certain specified exploratory activities relating to beach restoration and nourishment projects and inlet management activities; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 887—A bill to be entitled An act relating to business and professional regulation; amending s. 455.213, F.S.; waiving initial licensing, application, and unlicensed activity fees for certain military veterans; amending s. 455.2179, F.S.; revising continuing education provider and course approval procedures; amending s. 455.271, F.S.; limiting to the Department of Business and Professional Regulation the authority to reinstate a license that has become void under certain circumstances; amending s. 455.273, F.S.; revising the method of license renewal notification or notice of pending cancellation of licensure to include an e-mail address; deleting a requirement that a licensure renewal notification and a notice of cancellation of licensure include certain information regarding the applicant; amending s. 455.275, F.S.; revising a provision relating to maintenance of current address-of-record information to include e-mail address; revising a provision relating to notice to a licensee to allow service of process by e-mail; amending s. 475.451, F.S.; authorizing distance learning courses as an acceptable alternative to classroom instruction for renewal of a real estate instructor permit; providing that distance learning courses are under the discretion of the school offering the real estate course; requiring distance learning courses to adhere to certain requirements; amending s. 475.611, F.S.; revising the definition of the terms "appraisal management company" and "appraisal management services"; defining the term "subsidiary"; amending s. 475.6171, F.S.; revising requirements for the issuance of registration or certification upon receipt of proper documentation; amending s. 475.6235, F.S.; revising provisions relating to titles an appraisal management company must be registered to use; providing exemptions from registration requirements; amending s. 475.6245, F.S.; providing additional grounds for discipline of appraisal management companies, to which penalties apply; amending s. 477.019, F.S.; revising procedures for cosmetology licensure by endorsement; amending s. 477.0263, F.S.; authorizing the performance of cosmetology and specialty services in a location other than a licensed salon under certain circumstances; amending s. 489.105, F.S.; deleting the definition of the term "glass and glazing contractor"; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; reenacting and amending s. 489.118, F.S.; reviving grandfathering provisions and establishing a new deadline for applications for certification of certain registered contractors; amending s. 548.061, F.S.; removing the requirement that each person or club that holds or shows pugilistic matches on a closed circuit telecast viewed within the state, but originating within another state, must file certain reports; providing an effective date.

—was read the second time by title.

Representative Horner offered the following:

(Amendment Bar Code: 480355)

Amendment 1 (with title amendment)—Between lines 60 and 61, insert: Section 1. Subsections (4) and (5) of section 210.16, Florida Statutes, are renumbered as subsections (5) and (6), respectively, and a new subsection (4) is added to that section to read:

210.16 Revocation or suspension of permit.—

(4) At the discretion of the wholesale dealer making the sale, credit for the sale of tobacco products may be extended to a retail dealer that has been issued a permit pursuant to chapter 569. Upon submission of proof to the division by a wholesale dealer, the division shall suspend or deny the renewal of a retail permit to any person or, if a corporation, to any officer or stockholder of the corporation who has failed to satisfy the terms of a civil judgment obtained against the person, corporation, officer, or stockholder for failure to pay for

tobacco products purchased from a wholesale dealer. The permit shall remain suspended until the retail dealer submits proof to the division that it has entered into an agreed payment plan with the wholesale dealer or satisfied the civil judgment in full.

Section 2. Subsection (1) of section 210.181, Florida Statutes, is amended to read:

210.181 Civil penalties.—

(1) Except as provided in s. 210.16(6) ~~210.16(5)~~, whoever knowingly omits, neglects, or refuses to comply with any duty imposed upon him or her by this part, or to do or cause to be done any of the things required by this part, or does anything prohibited by this part shall, in addition to any other penalty provided in this part, be liable for a fine of \$1,000 or five times the retail value of the cigarettes involved, whichever is greater.

TITLE AMENDMENT

Remove line 3 and insert:

regulation; amending s. 210.16, F.S.; authorizing credit for the sale of tobacco products to be extended to a retail dealer under specified conditions; providing for the suspension of the sale of tobacco products to retail dealers delinquent in their credit payments until certain conditions are met; amending s. 210.181, F.S.; conforming a cross-reference; amending s. 455.213, F.S.; waiving initial

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Ingram offered the following:

(Amendment Bar Code: 608625)

Amendment 2 (with title amendment)—Remove lines 737-748 and insert:

Section 17. Effective upon this act becoming a law, section 548.007, Florida Statutes, is amended to read:

548.007 Applicability of provisions to amateur matches and certain other matches or events.—~~Sections With the exception of s. 548.008, ss. 548.001-548.079 do not apply to:~~

(1) A match conducted or sponsored by a bona fide nonprofit school or education program whose primary purpose is instruction in the martial arts, boxing, or kickboxing, if the match held in conjunction with the instruction is limited to amateur participants who are students of the school or instructional program;

(2) A match conducted or sponsored by any company or detachment of the Florida National Guard, if the match is limited to participants who are members of the company or detachment of the Florida National Guard; or

(3) A match conducted or sponsored by the Fraternal Order of Police, if the match is limited to amateur participants and is held in conjunction with a charitable event.

Section 18. Section 548.061, Florida Statutes, is repealed.

Section 19. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2012.

TITLE AMENDMENT

Remove lines 52-57 and insert:

registered contractors; amending s. 548.007, F.S.; deleting exemptions from certain restrictions on specified amateur matches and other events; repealing s. 548.061, F.S., relating to the requirement that each person or club that holds or shows pugilistic matches on a closed circuit telecast viewed within the state must file certain reports; providing effective dates.

Rep. Ingram moved the adoption of the amendment, which was adopted.

Representative Horner offered the following:

(Amendment Bar Code: 322959)

Amendment 3 (with title amendment)—Between lines 747 and 748, insert:

Section 18. The provisions contained in ss. 5 and 6, ch. 2010-225, Laws of Florida, shall be effected through a type two transfer of the relevant administrative rules, pursuant to s. 20.06(2), Florida Statutes.

TITLE AMENDMENT

Between lines 56 and 57, insert:

providing for a type two transfer of relevant administrative rules relating to the redesignation of the Pilotage Rate Review Board as the Pilotage Rate Review Committee within the Board of Pilot Commissioners and the transfer of matters pending before the board at the time of the redesignation and the Governor's appointment of the board pursuant to ss. 5 and 6, ch. 2010-225, Laws of Florida;

Rep. Horner moved the adoption of the amendment, which was adopted.

Representative Gaetz offered the following:

(Amendment Bar Code: 704207)

Amendment 4 (with title amendment)—Between lines 747 and 748, insert:

Section 18. Subsection (3) is added to section 550.0555, Florida Statutes, to read:

550.0555 Greyhound dogracing permits; relocation ~~within a county;~~ conditions.—

(3) Any holder of a valid outstanding permit for greyhound dogracing in a county in which there is only one dogracing permit issued and that does not permit the operation of a cardroom, as well as any holder of a valid outstanding permit for jai alai in a county in which only one jai alai permit is issued and that does not permit the operation of a cardroom, is authorized, without the necessity of an additional county referendum required under s. 550.0651, to move the location for which the permit has been issued to a location in another county which has authorized the operation of the same class of permit with cardrooms, provided that such relocation is approved under the zoning regulations of the county or municipality in which the permit is to be located, consistent with the comprehensive plan, and that such move is approved by the department after it is determined at a proceeding pursuant to chapter 120 in the county affected that the move is necessary to ensure the revenue-producing capability of the permittee without materially deteriorating the revenue-producing capability of any other pari-mutuel permittee of the same class of permit within 20 miles. The distance shall be measured on a straight line from the nearest property line of one racing plant or jai alai fronton to the nearest property line of the other.

TITLE AMENDMENT

Between lines 56 and 57, insert:

amending s. 550.0555, F.S.; providing for relocation of certain greyhound permits to a location in another county which has authorized the operation of the same class of permit with cardrooms in certain circumstances;

Rep. Gaetz moved the adoption of the amendment. Subsequently, **Amendment 4** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1331—A bill to be entitled An act relating to property fraud; creating s. 817.535, F.S.; prohibiting a person with intent to defraud or harass another from filing or causing to be filed a document relating to the ownership, transfer, or encumbrance of or claim against real or personal property, or any interest in real or personal property, which the person knows contains a material misstatement, misrepresentation, or omission of fact; providing criminal penalties; providing a person who records a claim of lien in the

official records pursuant to part I of ch. 713, F.S., be subject to the fraud provisions of s. 713.31, F.S., and not this section; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1227—A bill to be entitled An act relating to certification of 911 public safety telecommunicators; amending s. 401.465, F.S.; revising requirements for certification of 911 public safety telecommunicators; providing conditions under which the requirement for certification as a 911 public safety telecommunicator may be waived for certain law enforcement officers; providing for exemption from the examination fee; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 521—A bill to be entitled An act relating to state preemption of the regulation of hoisting equipment; amending s. 489.113, F.S.; preempting to the state the regulation of certain hoisting equipment; providing that the act does not apply to the regulation of elevators or to airspace height restrictions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 599—A bill to be entitled An act relating to transportation and mitigation programs; amending s. 341.301, F.S.; revising the definition of the term "limited covered accident"; amending s. 341.302, F.S.; authorizing the Department of Transportation to contract to indemnify against loss and purchase liability insurance coverage for National Railroad Passenger Corporation subject to specified terms and conditions; amending s. 373.4137, F.S.; revising legislative intent to encourage the use of other mitigation options that satisfy state and federal requirements; providing the Department of Transportation or a transportation authority the option of participating in a mitigation project; requiring the Department of Transportation or a transportation authority to submit lists of its projects in the adopted work program to the water management districts; requiring a list rather than a survey of threatened or endangered species and species of special concern affected by a proposed project; providing conditions for the release of certain environmental mitigation funds; prohibiting a mitigation plan from being implemented unless the plan is submitted to and approved by the Department of Environmental Protection; providing additional factors that must be explained regarding the choice of mitigation bank; removing a provision requiring an explanation for excluding certain projects from the mitigation plan; providing criteria that the Department of Transportation must use in determining which projects to include in or exclude from the mitigation plan; amending s. 373.4135, F.S.; authorizing a governmental entity to create or provide mitigation for projects other than its own under specified circumstances; providing applicability; providing an effective date.

—was read the second time by title.

Representative Pilon offered the following:

(Amendment Bar Code: 221877)

Amendment 1—Remove line 213 and insert:
Passenger Corporation's rail passengers, and the department and

Rep. Pilon moved the adoption of the amendment, which was adopted.

Representative Pilon offered the following:

(Amendment Bar Code: 167157)

Amendment 2—Remove lines 476-494 and insert:

mitigation bank before those projects are submitted for inclusion in the plan. The investigation shall consider the cost-effectiveness of mitigation bank credits, including, but not limited to, factors such as time saved, transfer of liability for success of the mitigation, and long-term maintenance.

Rep. Pilon moved the adoption of the amendment, which was adopted.

Representative Pilon offered the following:

(Amendment Bar Code: 253955)

Amendment 3 (with title amendment)—Between lines 550 and 551, insert:

Section 5. Paragraph (d) of subsection (6) of section 373.4136, Florida Statutes, is amended to read:

373.4136 Establishment and operation of mitigation banks.—

(6) MITIGATION SERVICE AREA.—The department or water management district shall establish a mitigation service area for each mitigation bank permit. The department or water management district shall notify and consider comments received on the proposed mitigation service area from each local government within the proposed mitigation service area. Except as provided herein, mitigation credits may be withdrawn and used only to offset adverse impacts in the mitigation service area. The boundaries of the mitigation service area shall depend upon the geographic area where the mitigation bank could reasonably be expected to offset adverse impacts. Mitigation service areas may overlap, and mitigation service areas for two or more mitigation banks may be approved for a regional watershed.

(d) If the requirements in s. 373.414(1)(b) and (8) are met, the following projects or activities regulated under this part shall be eligible to use a mitigation bank, regardless of whether they are located within the mitigation service area:

1. Projects with adverse impacts partially located within the mitigation service area.
2. Linear projects, such as roadways, transmission lines, distribution lines, pipelines, ~~or~~ railways, or seaports listed in s. 311.09(1).
3. Projects with total adverse impacts of less than 1 acre in size.

T I T L E A M E N D M E N T

Between lines 35 and 36, insert:
amending s. 373.4136, F.S.; authorizing certain seaport projects to use a mitigation bank;

Rep. Pilon moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 715—A bill to be entitled An act relating to self-service storage facilities; amending s. 83.803, F.S.; revising the definition of the term "last known address"; amending s. 83.806, F.S.; revising notice requirements relating to enforcing an owner's lien; authorizing notice by e-mail or first-class mail with a certificate of mailing; providing requirements for e-mail notice; revising provisions relating to when notice given is presumed delivered; amending s. 83.808, F.S.; requiring rental agreements and applications for rental agreements to contain a provision for the disclosure of the applicant's membership in the uniformed services; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 59—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory to include certain properties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 135—A bill to be entitled An act relating to costs of prosecution, investigation, and representation; amending s. 903.286, F.S.; providing for the withholding of unpaid costs of prosecution and representation from the return of a cash bond posted on behalf of a criminal defendant; requiring a notice on bond forms of such possible withholding; amending s. 938.27, F.S.; clarifying the types of cases that are subject to the collection and dispensing of cost payments by the clerk of the court; amending s. 985.032, F.S.; providing for assessment of costs of prosecution against a juvenile who has been adjudicated delinquent or has adjudication of delinquency withheld; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 249—A bill to be entitled An act relating to public lodging establishments; amending s. 509.013, F.S.; revising the definition of the term "public lodging establishment" to exclude certain apartment buildings designated primarily as housing for persons at least 62 years of age; authorizing the Division of Hotels and Restaurants to require written documentation from an apartment building operator that such building is in compliance with certain criteria; authorizing the division to adopt certain rules; providing an effective date.

—was read the second time by title.

Representative Fresen offered the following:

(Amendment Bar Code: 491641)

Amendment 1 (with title amendment)—Between lines 77 and 78, insert: Section 2. Subsection (1) of section 509.242, Florida Statutes, is amended to read:

509.242 Public lodging establishments; classifications.—

(1) A public lodging establishment shall be classified as a hotel, motel, nontransient apartment, transient apartment, ~~roominghouse~~, bed and breakfast inn, or vacation rental if the establishment satisfies the following criteria:

(a) Hotel.—A hotel is any public lodging establishment containing sleeping room accommodations for 25 or more guests and providing the services generally provided by a hotel and recognized as a hotel in the community in which it is situated or by the industry.

(b) Motel.—A motel is any public lodging establishment which offers rental units with an exit to the outside of each rental unit, daily or weekly rates, offstreet parking for each unit, a central office on the property with specified hours of operation, a bathroom or connecting bathroom for each rental unit, and at least six rental units, and which is recognized as a motel in the community in which it is situated or by the industry.

(c) Vacation rental.—A vacation rental is any unit or group of units in a condominium, cooperative, or timeshare plan or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment.

(d) Nontransient apartment ~~or roominghouse~~.—A nontransient apartment ~~or roominghouse~~ is a building or complex of buildings in which 75 percent or more of the units are available for rent to nontransient tenants.

(e) Transient apartment ~~or roominghouse~~.—A transient apartment ~~or roominghouse~~ is a building or complex of buildings in which more than 25 percent of the units are advertised or held out to the public as available for transient occupancy.

~~(f) Roominghouse.—A roominghouse is any public lodging establishment that may not be classified as a hotel, motel, nontransient apartment, bed and breakfast inn, vacation rental, or transient apartment under this section. A roominghouse includes, but is not limited to, a boardinghouse.~~

~~(f)(g) Bed and breakfast inn.—A bed and breakfast inn is a family home structure, with no more than 15 sleeping rooms, which has been modified to serve as a transient public lodging establishment, which provides the accommodation and meal services generally offered by a bed and breakfast~~

inn, and which is recognized as a bed and breakfast inn in the community in which it is situated or by the hospitality industry.

TITLE AMENDMENT

Remove line 11 and insert:

adopt certain rules; amending s. 509.242, F.S.; revising public lodging establishment classifications; providing an effective date.

Rep. Fresen moved the adoption of the amendment.

Representative Fresen offered the following:

(Amendment Bar Code: 450427)

Substitute Amendment 1 (with title amendment)—Between lines 77 and 78, insert:

9. Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, vacation rental, nontransient apartment, bed and breakfast inn, or transient apartment under s. 509.242.

Section 2. Subsection (1) of section 509.242, Florida Statutes, is amended to read:

509.242 Public lodging establishments; classifications.—

(1) A public lodging establishment shall be classified as a hotel, motel, nontransient apartment, transient apartment, ~~roominghouse~~, bed and breakfast inn, or vacation rental if the establishment satisfies the following criteria:

(a) Hotel.—A hotel is any public lodging establishment containing sleeping room accommodations for 25 or more guests and providing the services generally provided by a hotel and recognized as a hotel in the community in which it is situated or by the industry.

(b) Motel.—A motel is any public lodging establishment which offers rental units with an exit to the outside of each rental unit, daily or weekly rates, offstreet parking for each unit, a central office on the property with specified hours of operation, a bathroom or connecting bathroom for each rental unit, and at least six rental units, and which is recognized as a motel in the community in which it is situated or by the industry.

(c) Vacation rental.—A vacation rental is any unit or group of units in a condominium, cooperative, or timeshare plan or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment.

(d) Nontransient apartment ~~or roominghouse~~.—A nontransient apartment ~~or roominghouse~~ is a building or complex of buildings in which 75 percent or more of the units are available for rent to nontransient tenants.

(e) Transient apartment ~~or roominghouse~~.—A transient apartment ~~or roominghouse~~ is a building or complex of buildings in which more than 25 percent of the units are advertised or held out to the public as available for transient occupancy.

~~(f) Roominghouse.—A roominghouse is any public lodging establishment that may not be classified as a hotel, motel, nontransient apartment, bed and breakfast inn, vacation rental, or transient apartment under this section. A roominghouse includes, but is not limited to, a boardinghouse.~~

~~(f)(g) Bed and breakfast inn.—A bed and breakfast inn is a family home structure, with no more than 15 sleeping rooms, which has been modified to serve as a transient public lodging establishment, which provides the accommodation and meal services generally offered by a bed and breakfast inn, and which is recognized as a bed and breakfast inn in the community in which it is situated or by the hospitality industry.~~

TITLE AMENDMENT

Remove lines 6-11 and insert:

housing for persons at least 62 years of age and certain roominghouses, boardinghouses, and other living or sleeping facilities; authorizing the Division of Hotels and Restaurants to require written documentation from an

apartment building operator that such building is in compliance with certain criteria; authorizing the division to adopt certain rules; amending s. 509.242, F.S.; revising public lodging establishment classifications; providing an effective date.

Rep. Fresen moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 943—A bill to be entitled An act relating to background screening; amending s. 394.4572, F.S.; providing that mental health personnel working in a facility licensed under ch. 395, F.S., who work on an intermittent basis for less than 15 hours per week of direct, face-to-face contact with patients are exempt from the fingerprinting and screening requirements under certain conditions; providing an exception; amending s. 408.809, F.S.; providing additional conditions for a person to satisfy screening requirements; eliminating a rule that requires the Agency for Health Care Administration to stagger rescreening schedules; providing a rescreening schedule; amending s. 409.1757, F.S.; adding law enforcement officers who have a good moral character to the list of professionals who are not required to be reprinted or rescreened; amending s. 409.221, F.S.; revising provisions relating to background screening for persons rendering care in the consumer-directed care program; amending s. 413.20, F.S., relating to general vocational rehabilitation programs; defining the term "service provider"; amending s. 413.208, F.S.; requiring registration of service providers; requiring background screening and rescreening of certain persons having contact with vulnerable persons; providing exemptions from background screening; providing disqualifying offenses; providing that the cost of screening shall be borne by the provider or the person being screened; providing conditions for the denial, suspension, termination, or revocation of registration or other agreements; providing for notice of denial, suspension, termination, or revocation; providing applicability; amending s. 430.0402, F.S.; including a person who has access to a client's personal identification information within the definition of the term "direct service provider"; exempting certain professionals licensed by the Department of Health, attorneys in good standing, relatives of clients, and volunteers who assist on an intermittent basis for less than 20 hours per month from level 2 background screening; exempting certain licensed professionals and persons screened as a licensure requirement from further screening under certain circumstances; requiring direct service providers working as of a certain date to be screened within a specified period; providing a phase-in for screening direct service providers; requiring that employers of direct service providers and certain other individuals be rescreened every 5 years unless fingerprints are retained electronically by the Department of Law Enforcement; removing an offense from the list of disqualifying offenses for purposes of background screening; amending s. 435.02, F.S.; revising and providing definitions relating to employment screening; amending s. 435.04, F.S.; requiring vendors who submit fingerprints on behalf of employers to meet specified criteria; amending s. 435.06, F.S.; authorizing an employer to hire an employee to a position that otherwise requires background screening before the completion of the screening process for the purpose of training the employee; prohibiting the employee from having direct contact with vulnerable persons until the screening process is complete; creating s. 435.12, F.S.; creating the Care Provider Background Screening Clearinghouse under the Agency for Health Care Administration, in consultation with the Department of Law Enforcement; providing rulemaking authority; providing for the implementation and operation of the clearinghouse; providing for the results of certain criminal history checks to be shared among specified agencies; providing for retention of fingerprints; providing for the registration of employers; providing an exemption for certain employees who have undergone a criminal history check before the clearinghouse is operational; creating s. 456.0135, F.S.; requiring an application for initial licensure in a profession regulated by the Department of Health to include fingerprints submitted by an approved vendor after a specified date; providing procedures and conditions for retention of fingerprints; requiring the applicant to pay the costs of fingerprint processing; amending s. 464.203, F.S.; requiring the Board

of Nursing to waive background screening requirements for certain certified nursing assistants; amending s. 943.05, F.S.; providing procedures for qualified entities participating in the Criminal Justice Information Program that elect to participate in the fingerprint retention and search process; providing for the imposition of fees for processing fingerprints; authorizing the Department of Law Enforcement to exclude certain entities from participation for failure to timely remit fingerprint processing fees; amending s. 943.053, F.S.; providing procedures for the submission of fingerprints by private vendors, private entities, and public agencies for certain criminal history checks; requiring the vendor, entity, or agency to enter into an agreement with the Department of Law Enforcement specifying standards for electronic submission of fingerprints; exempting specified criminal justice agencies from the requirement for an agreement; providing procedures for the vendor, entity, or agency to collect certain fees and to remit those fees to the Department of Law Enforcement; authorizing the Department of Law Enforcement to exclude certain entities from participation for failure to timely remit fingerprint processing fees; amending s. 943.0585, F.S.; revising provisions relating to the court-ordered expunction of criminal history records; amending s. 943.059, F.S.; revising provisions relating to the court-ordered sealing of criminal history records; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 935—A bill to be entitled An act relating to child support enforcement; amending s. 61.13016, F.S.; providing that a child support obligor may avoid the suspension of his or her driver license and motor vehicle registration by beginning to pay his or her obligation by income deduction within a specified period; amending s. 322.058, F.S.; providing that a child support obligor may avoid the suspension of his or her driver license and motor vehicle registration by beginning to pay his or her obligation by income deduction within a specified period; amending s. 409.25656, F.S.; providing that a garnishee may consent to receive certain notices by secure e-mail or fax; requiring establishment of an automated method for the Chief Financial Officer to periodically provide the Department of Revenue an electronic file of individuals to whom the state pays money for goods or services or who lease real property to the state; requiring garnishment of such payments for past due or overdue support; deleting provisions requiring the Department of Revenue to provide certain information to the Chief Financial Officer for such purpose; amending s. 409.25658, F.S.; revising provisions concerning use of unclaimed property for collection of past due support; amending s. 409.2575, F.S.; revising language concerning who may cause certain liens to be placed for unpaid and delinquent support; authorizing liens on a claim, settlement, or judgment that may result in payment to the obligor; providing for notice to the obligor; providing requirements for such notice; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 373—A bill to be entitled An act relating to environmental permits; amending s. 218.075, F.S.; providing for an entity created by special act, local ordinance, or interlocal agreement of a county or municipality to receive certain reduced or waived permit processing fees; requiring that the project for which such fee reduction or waiver is sought serves a public purpose; amending s. 373.118, F.S.; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing that the rules are not subject to any special rulemaking requirements relating to small business; creating s. 373.4131, F.S.; authorizing certain municipalities and counties to adopt stormwater adaptive management plans and obtain conceptual permits for urban redevelopment projects; providing requirements for establishment of such permits by water management districts in consultation with the Department

of Environmental Protection; providing that certain urban redevelopment projects qualify for a noticed general permit; providing construction; providing an effective date.

—was read the second time by title.

Representative Glorioso offered the following:

(Amendment Bar Code: 586519)

Amendment 1—Remove line 116 and insert:

(d) Shall be issued for a duration of at least 20 years, and may be

Rep. Glorioso moved the adoption of the amendment, which was adopted.

Representative Rouson offered the following:

(Amendment Bar Code: 937925)

Amendment 2 (with title amendment)—Between lines 128 and 129, insert:

Section 4. The Department of Health shall require Pinellas County to fluoridate its drinking water.

TITLE AMENDMENT

Between lines 26 and 27, insert:
requiring the Department of Health to require Pinellas County to fluoridate its drinking water;

Rep. Rouson moved the adoption of the amendment. Subsequently, **Amendment 2** was withdrawn.

Representative Ray offered the following:

(Amendment Bar Code: 756001)

Amendment 3 (with title amendment)—Between lines 128 and 129, insert:

Section 4. Notwithstanding ss. 120.569, 120.57, and 373.427, Florida Statutes, and notwithstanding any other provision of law to the contrary, a consolidated environmental resource permit or any associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports, as listed in s. 403.021(9), Florida Statutes, shall be subject to the summary hearing provisions of s. 120.574, Florida Statutes. However, the summary proceeding must be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding, and the administrative law judge's decision shall be in the form of a recommended order and shall not constitute final agency action of the department. The Department of Environmental Protection shall issue the final order within 45 working days after receipt of the administrative law judge's recommended order.

TITLE AMENDMENT

Between lines 26 and 27, insert:
providing that a consolidated environmental resource permit or associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with specified deepwater ports shall be subject to specified summary hearing provisions; providing that the summary proceeding must be conducted within a certain timeframe; providing that the administrative law judge's decision shall be a recommended order that does not constitute final agency action of the

department; requiring the Department of Environmental Protection to issue the final order within a certain timeframe;

Rep. Ray moved the adoption of the amendment

Representative Lopez-Cantera offered the following:

(Amendment Bar Code: 100885)

Substitute Amendment 3 (with title amendment)—Remove line 129 and insert:

Section 4. Notwithstanding s. 120.569, s. 120.57, or s. 373.427, Florida Statutes, or any other provision of law to the contrary, a consolidated environmental resource permit or any associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with the state's deepwater ports, as listed in s. 403.021(9), Florida Statutes, shall be subject to the summary hearing provisions of s. 120.574, Florida Statutes. However, the summary proceeding shall be conducted within 30 days after a party files a motion for a summary hearing, regardless of whether the parties agree to the summary proceeding, and the administrative law judge's decision shall be in the form of a recommended order and does not constitute final agency action of the department. The department shall issue the final order within 45 working days after receipt of the administrative law judge's recommended order. The summary hearing provisions of this section apply to pending administrative proceedings. However, the provisions of s. 120.574(1)(b) and (d), Florida Statutes, do not apply to pending administrative proceedings. This section shall take effect upon this act becoming a law.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2012.

TITLE AMENDMENT

Remove line 27 and insert:
providing that a consolidated environmental resource permit or associated variance or any sovereign submerged lands authorization proposed or issued by the Department of Environmental Protection in connection with specified deepwater ports is subject to specified summary hearing provisions; requiring such proceedings to be conducted within a certain timeframe; providing that the administrative law judge's decision is a recommended order and does not constitute final agency action of the department; requiring the department to issue the final order within a certain timeframe; providing applicability; providing effective dates.

Rep. Lopez-Cantera moved the adoption of the substitute amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 1177—A bill to be entitled An act relating to campaign financing; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fund raiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 549—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.08, F.S.; revising factors to be considered for alimony awards; requiring a court to make certain written findings concerning alimony; revising factors to be considered in whether to award alimony or maintenance; revising provisions relating to the protection of

awards of alimony; revising provisions for an award of durational alimony; redesignating permanent alimony as long-term alimony and revising provisions relating to its award; requiring written findings regarding the incomes and standard of living of the parties after dissolution of marriage; amending s. 61.14, F.S.; providing that an increase in an obligor's income may not be considered permanent in nature until it has been maintained for a specified period without interruption; providing for award of attorney fees and costs if it is determined that an obligee unnecessarily or unreasonably litigated a petition for modification or termination of an alimony award; revising provisions relating to the effect of a supportive relationship on an award of alimony; prohibiting a court from reserving jurisdiction to reinstate an alimony award; providing that income and assets of the obligor's spouse or the person with whom the obligor resides may not be considered in the redetermination in a modification action; providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified due to the later modification or termination of child support payments; providing that the attaining of retirement age is a substantial change in circumstances; creating a rebuttable presumption of a reasonable retirement age; providing factors the court shall consider in determining whether the obligor's retirement is reasonable; requiring a court to impute income to the obligee based on the analysis and factors set forth in specified provisions; amending s. 61.19, F.S.; allowing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing an effective date.

—was read the second time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

Representative Workman offered the following:

(Amendment Bar Code: 638611)

Amendment 1 (with title amendment)—Remove lines 167-392 and insert:

period of time following a marriage of short or moderate duration or following a marriage of long duration if there is no ongoing need for support on a long-term permanent basis. When awarding durational alimony, the court must make written findings that an award of any other form of alimony or a combination thereof is not appropriate. An award of durational alimony terminates upon the death of either party or upon the remarriage of the party receiving alimony. The amount of an award of durational alimony shall may be modified or terminated based upon a substantial change in circumstances or upon the existence of a supportive relationship in accordance with s. 61.14 unless the court makes written findings stating the exceptional circumstances as to why it should not be modified or terminated. However, The length of an award of durational alimony may not be modified except under exceptional circumstances and may not exceed the length of the marriage. If the court awards durational alimony for a length of time greater than 50 percent of the length of the marriage, the court must make written findings stating the circumstances warranting the length of the award.

(8) Long-term Permanent alimony may be awarded to provide for the needs and necessities of life as they were established during the marriage of the parties for a party who lacks the financial ability to meet his or her needs and necessities of life following a dissolution of marriage. Long-term Permanent alimony may be awarded following a long-term marriage of long duration if such an award is appropriate upon consideration of the factors set forth in subsection (2), following a moderate-term marriage of moderate duration if such an award is appropriate based upon clear and convincing evidence after consideration of the factors set forth in subsection (2), or following a short-term marriage of short duration if there are written findings of exceptional circumstances. In awarding long-term permanent alimony, the court shall include findings a finding that no other form of alimony will provide for the needs and necessities of life of the recipient and that no other form is fair and reasonable under the circumstances of the parties. An award of long-term permanent alimony terminates upon the death of either party, or upon the remarriage of the party receiving alimony, or as provided in s.

61.14(12). An award shall may be modified or terminated based upon a substantial change in circumstances or upon the existence of a supportive relationship in accordance with s. 61.14.

(9) Notwithstanding any other law to the contrary, an ~~The~~ award of alimony may not leave the payor with significantly less net income or with a lower standard of living than the net income of the recipient unless there are written findings of exceptional circumstances. The court shall make written findings regarding the relative incomes and standards of living citing to evidence in the record and to this subsection.

(10)(a) With respect to any order requiring the payment of alimony entered on or after January 1, 1985, ~~unless the provisions of~~ paragraph (c) or paragraph (d) applies apply, the court shall direct in the order that the payments of alimony be made through the appropriate depository as provided in s. 61.181.

(b) With respect to any order requiring the payment of alimony entered before January 1, 1985, upon the subsequent appearance, on or after that date, of one or both parties before the court having jurisdiction for the purpose of modifying or enforcing the order or in any other proceeding related to the order, or upon the application of either party, ~~unless the provisions of~~ paragraph (c) or paragraph (d) applies apply, the court shall modify the terms of the order as necessary to direct that payments of alimony be made through the appropriate depository as provided in s. 61.181.

(c) If there is no minor child, alimony payments need not be directed through the depository.

(d)1. If there is a minor child of the parties and both parties so request, the court may order that alimony payments need not be directed through the depository. In this case, the order of support shall provide, or be deemed to provide, that either party may subsequently apply to the depository to require that payments be made through the depository. The court shall provide a copy of the order to the depository.

2. If ~~the provisions of~~ subparagraph 1. applies apply, either party may subsequently file with the depository an affidavit alleging default or arrearages in payment and stating that the party wishes to initiate participation in the depository program. The party shall provide copies of the affidavit to the court and the other party or parties. Fifteen days after receipt of the affidavit, the depository shall notify all parties that future payments shall be directed to the depository.

3. In IV-D cases, the IV-D agency shall have the same rights as the obligee in requesting that payments be made through the depository.

Section 2. Paragraphs (a) and (b) of subsection (1) of section 61.14, Florida Statutes, are amended, paragraphs (c) and (d) are added to subsection (11) of that section, and subsections (12) and (13) are added to that section, to read:

61.14 Enforcement and modification of support, maintenance, or alimony agreements or orders.—

(1)(a) When the parties enter into an agreement for payments for, or instead of, support, maintenance, or alimony, whether in connection with a proceeding for dissolution or separate maintenance or with any voluntary property settlement, or when a party is required by court order to make any payments, and the circumstances or the financial ability of either party changes or the child who is a beneficiary of an agreement or court order as described herein reaches majority after the execution of the agreement or the rendition of the order, either party may apply to the circuit court of the circuit in which the parties, or either of them, resided at the date of the execution of the agreement or reside at the date of the application, or in which the agreement was executed or in which the order was rendered, for an order decreasing or increasing the amount of support, maintenance, or alimony, and the court has jurisdiction to make orders as equity requires, with due regard to the changed circumstances or the financial ability of the parties or the child, decreasing, increasing, or confirming the amount of separate support, maintenance, or alimony provided for in the agreement or order. For purposes of considering a petition for modification of an alimony award, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 1 year. A finding that medical insurance is reasonably available or the child support guidelines schedule in s. 61.30 may constitute changed circumstances. Except as otherwise provided in s. 61.30(11)(c), the court may modify an order of support, maintenance, or alimony by increasing or

decreasing the support, maintenance, or alimony retroactively to the date of the filing of the action or supplemental action for modification as equity requires, giving due regard to the changed circumstances or the financial ability of the parties or the child.

(b)1. The court must, except upon a written finding of exceptional circumstances, may reduce or terminate an award of alimony upon specific written findings by the court that since the granting of a divorce and the award of alimony a supportive relationship has existed between the obligee and a person with whom the obligee resides. On the issue of whether alimony should be reduced or terminated under this paragraph, the burden is on the obligor to prove by a preponderance of the evidence that a supportive relationship exists.

2. In determining whether an existing award of alimony should be reduced or terminated because of an alleged supportive relationship between an obligee and a person who is not related by consanguinity or affinity and with whom the obligee resides, the court shall elicit the nature and extent of the relationship in question. The court shall give consideration, without limitation, to circumstances; including, but not limited to, the following; in determining the relationship of an obligee to another person:

a. The extent to which the obligee and the other person have held themselves out as a married couple by engaging in conduct such as using the same last name, using a common mailing address, referring to each other in terms such as "my husband" or "my wife," or otherwise conducting themselves in a manner that evidences a permanent supportive relationship.

b. The period of time that the obligee has resided with the other person in a permanent place of abode.

c. The extent to which the obligee and the other person have pooled their assets or income or otherwise exhibited financial interdependence.

d. The extent to which the obligee or the other person has supported the other, in whole or in part.

e. The extent to which the obligee or the other person has performed valuable services for the other.

f. The extent to which the obligee or the other person has performed valuable services for the other's company or employer.

g. Whether the obligee and the other person have worked together to create or enhance anything of value.

h. Whether the obligee and the other person have jointly contributed to the purchase of any real or personal property.

i. Evidence in support of a claim that the obligee and the other person have an express agreement regarding property sharing or support.

j. Evidence in support of a claim that the obligee and the other person have an implied agreement regarding property sharing or support.

k. Whether the obligee and the other person have provided support to the children of one another, regardless of any legal duty to do so.

3. This paragraph does not abrogate the requirement that every marriage in this state be solemnized under a license, does not recognize a common law marriage as valid, and does not recognize a de facto marriage. This paragraph recognizes only that relationships do exist that provide economic support equivalent to a marriage and that alimony terminable on remarriage may be reduced or terminated upon the establishment of equivalent equitable circumstances as described in this paragraph. The existence of a conjugal relationship, though it may be relevant to the nature and extent of the relationship, is not necessary for the application of ~~the provisions of~~ this paragraph.

4. There shall be a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition. In an action under this section, if it is determined that the obligee unnecessarily or unreasonably litigated the underlying petition for modification or termination, the court may award the obligor his or her reasonable attorney fees and costs pursuant to s. 61.16 and applicable case law.

5. A court terminating an alimony award based on the existence of a supportive relationship may not reserve jurisdiction to later reinstate alimony.

(11)

(c) If the obligor remarries or resides with another person, the income and assets of the obligor's spouse or the person with whom the obligor resides may not be considered in a modification action regarding such obligor, except for

purposes of discovery to determine the obligor's income or assets within the pooled income and assets.

(d) If the court orders alimony payable concurrent with a child support order, the alimony award may not be modified solely because of a later modification or termination of child support payments.

(12) The fact that an obligor has reached a reasonable retirement age for his or her profession, has retired, and has no intent to return to work shall be considered a substantial change in circumstances as a matter of law. In determining whether the obligor's retirement age is reasonable, the court shall consider the obligor's:

(a) Age.

(b) Health.

(c) Motivation for retirement.

(d) Type of work.

(e) Normal retirement age for that type of work.

In anticipation of retirement, the obligor may file a petition for termination or modification of the alimony award effective upon the retirement date. The court shall terminate or modify the alimony award based on the circumstances of the parties after retirement of the obligor and based on the factors in s. 61.08(2), unless the court makes findings of fact that a termination or modification of an alimony award is not warranted.

TITLE AMENDMENT

Remove lines 33-34 and insert:
circumstances; providing factors the court

Rep. Workman moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HJR 55—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to authorize counties and municipalities to limit the assessed value of the homesteads of certain low-income senior citizens.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 379—A bill to be entitled An act relating to captive insurance; amending s. 628.901, F.S.; providing definitions; amending s. 628.905, F.S.; expanding the kinds of insurance for which a captive insurer may seek licensure; limiting the risks that certain captive insurers may insure; specifying requirements and conditions relating to a captive insurer's authority to conduct business; requiring that before licensure certain captive insurers must file or submit to the Office of Insurance Regulation specified information, documents, and statements; requiring a captive insurance company to file specific evidence with the office relating to the financial condition and quality of management and operations of the company; specifying certain fees to be paid by captive insurance or reinsurance companies; authorizing the Commissioner of Insurance Regulation to grant a captive insurance company a license to conduct insurance business until a specified date under certain circumstances; authorizing a foreign or alien captive insurance company to become a domestic captive insurance company by complying with specified requirements; authorizing the office to waive any requirements for public hearings relating to the redomestication of an alien captive insurance company; specifying that industrial insured captive insurance companies are not required to be incorporated in this state under certain circumstances; creating s. 628.906, F.S.; requiring biographical affidavits, background investigations, and fingerprint cards for all officers and directors; providing requirements for taking and processing such fingerprints; providing restrictions on officers and directors involved with insolvent insurers under certain conditions; providing restrictions, requirements, and administrative penalties relating to officers, directors, certain stockholders, and incorporators that have been found guilty of, or that have pleaded guilty or nolo contendere to, any felony or crime involving moral turpitude, including a crime of dishonesty or breach of trust; amending s.

628.907, F.S.; revising capitalization requirements for specified captive insurance companies; requiring capital of specified captive insurance companies to be held in certain forms; requiring contributions to captive insurance companies that are nonprofit corporations to be in a certain form; authorizing the office to issue a captive insurance company license conditioned upon certain evidence relating to possession of specified capital; authorizing revocation of a conditional license under certain circumstances; authorizing the office to prescribe certain additional capital and net asset requirements; requiring such additional requirements relating to capital and net assets to be held in specified forms; requiring dividends or distributions of capital or surplus to meet certain conditions and be approved by the office; requiring certain irrevocable letters of credit to meet certain standards; creating s. 628.908, F.S.; prohibiting the issuance of a license to specified captive insurance companies unless such companies possess and maintain certain levels of unimpaired surplus; authorizing the office to condition issuance of a captive insurance company license upon the provision of certain evidence relating to the possession of a minimum amount of unimpaired surplus; authorizing revocation of a conditional license under certain circumstances; requiring dividends or distributions of capital or surplus to meet certain conditions and be approved by the office; requiring certain irrevocable letters of credit to meet certain standards; amending s. 628.909, F.S.; providing for applicability of certain statutory provisions to specified captive insurers; creating s. 628.910, F.S.; providing requirements, options, and conditions relating to how a captive insurance company may be incorporated or organized as a business; amending s. 628.911, F.S.; providing reporting requirements for captive insurance companies and captive reinsurance companies; creating s. 628.912, F.S.; authorizing a captive reinsurance company to discount specified losses subject to certain conditions; amending s. 628.913, F.S.; authorizing a captive reinsurance company to apply to the office for licensure to write reinsurance covering property and casualty insurance or reinsurance contracts; authorizing the office to allow a captive reinsurance company to write reinsurance contracts covering risks in any state; prohibiting such captive reinsurance company from directly insuring risks; specifying that a captive reinsurance company is subject to specified requirements and must meet specified conditions to conduct business in this state; creating s. 628.914, F.S.; specifying requirements and conditions relating to the capitalization or maintenance of reserves by a captive reinsurance company; creating s. 628.9141, F.S.; specifying requirements and conditions relating to the incorporation of a captive reinsurance company; creating s. 628.9142, F.S.; providing for the effect on reserves of certain actions taken by a captive insurance company relating to providing reinsurance for specified risks; creating s. 628.918, F.S.; requiring a specified percentage of a captive reinsurance company's assets to be managed by an asset manager domiciled in this state; creating s. 628.919, F.S.; authorizing the Financial Services Commission to adopt rules establishing certain standards for control of an unaffiliated business by a parent or affiliated company relating to coverage by a pure captive insurance company; creating s. 628.920, F.S.; requiring that a licensed captive insurance company must be considered for issuance of a certificate of authority as an insurer under certain circumstances; amending s. 626.7491, F.S.; conforming a cross-reference; repealing s. 628.903, F.S., relating to "industrial insured captive insurer" defined, to conform to changes made by this act; providing an effective date.

—was read the second time by title.

Representative Nuñez offered the following:

(Amendment Bar Code: 634279)

Amendment 1—Remove lines 135-237 and insert:

(2) "Captive insurance company" means a domestic insurer established under this part. A captive insurance company includes a pure captive insurance company, special purpose captive insurance company, or industrial insured captive insurance company formed and licensed under this part.

(3) "Captive reinsurance company" means a reinsurance company that is formed and licensed under this part and is wholly owned by a qualifying reinsurance parent company. A captive reinsurance company is a stock

corporation and may only reinsure risks. A captive reinsurance company may not directly insure risks.

(4) "Consolidated debt to total capital ratio" means the ratio of the sum of all debts and hybrid capital instruments as described in paragraph (a) to total capital as described in paragraph (b).

(a) Debts and hybrid capital instruments include, but are not limited to, all borrowings from banks, all senior debt, all subordinated debts, all trust preferred shares, and all other hybrid capital instruments that are not included in the determination of consolidated GAAP net worth issued and outstanding.

(b) Total capital consists of all debts and hybrid capital instruments as described in paragraph (a) plus owners' equity determined in accordance with GAAP for reporting to the United States Securities and Exchange Commission.

(5) "Consolidated GAAP net worth" means the consolidated owners' equity determined in accordance with generally accepted accounting principles for reporting to the United States Securities and Exchange Commission.

(6) "Controlled unaffiliated business" means a company:

(a) That is not in the corporate system of a parent and affiliated companies;

(b) That has an existing contractual relationship with a parent or affiliated company; and

(c) Whose risks are managed by a captive insurance company in accordance with s. 628.919.

(7) "GAAP" means generally accepted accounting principles.

(8) "Industrial insured" means an insured that:

(a) Has gross assets in excess of \$50 million;

(b) Procures insurance through the use of a full-time employee of the insured who acts as an insurance manager or buyer or through the services of a person licensed as a property and casualty insurance agent, broker, or consultant in such person's state of domicile;

(c) Has at least 100 full-time employees; and

(d) Pays annual premiums of at least \$200,000 for each line of insurance purchased from the industrial insured captive insurer or at least \$75,000 for any line of coverage in excess of at least \$25 million in the annual aggregate. The purchase of umbrella or general liability coverage in excess of \$25 million in the annual aggregate shall be deemed to be the purchase of a single line of insurance.

(9) "Industrial insured captive insurance company" means a captive insurance company that provides insurance only to the industrial insureds that are its stockholders or members, and affiliates thereof, or to the stockholders, and affiliates thereof, of its parent corporation. An industrial insured captive insurance company may also provide reinsurance to insurers only on risks written by such insurers for the industrial insureds who are the stockholders or members, and affiliates thereof, of the industrial insured captive insurance company, or the stockholders, and affiliates thereof, of the parent corporation of the industrial insured captive insurance company.

(10) "Office" means the Office of Insurance Regulation.

(11) "Parent" means any corporation, limited liability company, partnership, or individual that directly or indirectly owns, controls, or holds with power to vote more than 50 percent of the outstanding voting interests of a captive insurance company.

(12) "Pure captive insurance company" means a company that insures risks of its parent, affiliated companies, controlled unaffiliated businesses, or a combination thereof.

(13) "Qualifying reinsurer parent company" means a reinsurer that currently holds a certificate of authority or letter of eligibility or is an accredited or a satisfactory nonapproved reinsurer in this state possessing a consolidated GAAP net worth of not less than \$500 million and a consolidated debt to total capital ratio of not greater than 0.50.

(14) "Special purpose captive insurance company" means a captive insurance company that is formed or licensed under this chapter that does not meet the definition of any other type of captive insurance company defined in this section.

(15) "Treasury rates" means the United States Treasury STRIPS asked yield as published in the Wall Street Journal as of a balance sheet date.

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 534865)

Amendment 2—Remove lines 254-276 and insert:

(b) An industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies.

(c) A special purpose captive insurance company may only insure the risks of its parent.

(d) A captive insurance company may not accept or cede reinsurance except as provided in this part.

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 089525)

Amendment 3—Remove lines 343-347 and insert:

state and by filing with the Secretary of State its charter or other organizational documents, together with any appropriate amendments that have been adopted in accordance with the laws of this state to bring the charter or other organizational documents into

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 813789)

Amendment 4—Remove lines 427-436 and insert:

~~(2) Unimpaired surplus of at least \$250,000.~~

(b) In the case of an industrial insured captive insurance company incorporated as a stock insurer, not less than \$200,000.

(c) In the case of a special purpose captive insurance company, an amount determined by the office after giving due consideration to the company's business plan, feasibility study, and pro forma financial statements and projections, including the nature of the risks to be insured.

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 271209)

Amendment 5—Remove lines 500-514 and insert:

(b) In the case of an industrial insured captive insurance company incorporated as a stock insurer, not less than \$300,000.

(c) In the case of an industrial insured captive insurance company incorporated as a mutual insurer, not less than \$500,000.

(d) In the case of a special purpose captive insurance company, an amount determined by the office after giving due consideration to the company's business plan, feasibility study, and pro forma financial statements and projections, including the nature of the risks to be insured.

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Representative Nuñez offered the following:

(Amendment Bar Code: 138831)

Amendment 6—Remove lines 577-583 and insert:

(2) An industrial insured captive insurance company may be:

(a) Incorporated as a stock insurer with its capital divided into shares and held by the stockholders; or

(b) Incorporated as a mutual insurer without capital stock, the governing body of which is elected by its members.

Rep. Nuñez moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HJR 169—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to authorize the Legislature, by general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property, if the property has a just value lower than a specified amount, to an owner who has maintained permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount.

—was read the second time by title.

Further consideration of **CS/HJR 169** was temporarily postponed.

Consideration of **CS/HB 357** was temporarily postponed.

CS/HB 639—A bill to be entitled An act relating to reclaimed water; amending s. 373.019, F.S.; defining the terms "reclaimed water" and "reclaimed water distribution system"; amending s. 373.250, F.S.; providing legislative findings relating to the use of reclaimed water; providing that reclaimed water is an alternative water supply and eligible for such funding; authorizing specified contract provisions for the development of reclaimed water as an alternative water supply; prohibiting the exclusion of reclaimed water use from regional water supply planning; deleting a definition for the term "uncommitted"; providing for the determination of uncommitted reclaimed water capacity by certain utilities; prohibiting water management districts from requiring permits for the use of reclaimed water; authorizing permit conditions for certain surface water and groundwater sources; authorizing water management districts to require the use of reclaimed water under certain conditions; prohibiting water management districts from requiring or restricting services provided by reuse utilities; providing an exception; clarifying which permit applicants are required to submit certain information; requiring the Department of Environmental Protection and each water management district to initiate rulemaking to adopt specified revisions to the water resource implementation rule; revising applicability; providing for construction of the act; amending ss. 373.036, 373.421, 403.813, and 556.102, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1491—A bill to be entitled An act relating to capital formation for infrastructure projects; amending ss. 288.9621, 288.9622, and 288.9623, F.S.; conforming a short title, revising legislative findings and intent, and providing definitions for the Florida Capital Formation Act; conforming cross-references; creating s. 288.9627, F.S.; providing for creation of the Florida Infrastructure Fund Partnership; providing the partnership's purpose and duties; providing for management of the partnership by the Florida Opportunity Fund; authorizing the fund to lend moneys to the partnership; requiring the partnership to raise funds from investment partners; providing for commitment agreements with and issuance of certificates to investment partners; authorizing the partnership to invest in certain infrastructure projects; requiring the partnership to submit an annual report to the Governor and Legislature; prohibiting the partnership from pledging the credit or taxing power of the state or its political subdivisions; prohibiting the partnership from investing in projects with or accepting investments from certain companies; creating s. 288.9628, F.S.; creating the Florida Infrastructure Investment Trust; providing for powers and duties, a board of trustees, and an administrative officer of the trust; providing for the trust's issuance of certificates to investment partners; specifying that the certificates guarantee the availability of tax credits under certain conditions; authorizing the trust and the fund to charge fees; limiting the amount of tax credits that may be claimed or applied against state taxes in any year; providing for the

redemption of certificates or sale of tax credits; providing for the issuance of the tax credits by the Department of Revenue; specifying the taxes against which the credits may be applied; limiting the period within which tax credits may be used; providing for the state's obligation for use of the tax credits; limiting the liability of the fund; providing for the transferability of certificates and tax credits; requiring the department to provide a certain written assurance to the trust under certain circumstances; specifying that certain provisions regulating securities transactions do not apply to certificates and tax credits transferred or sold under the act; amending s. 213.053, F.S.; authorizing the department to disclose certain information to the partnership and the trust relative to certain tax credits; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1065—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; deleting a provision providing a cap on surrender or deferred sales charges; prohibiting specified charges for annuities issued to persons 65 years of age or older; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1119—A bill to be entitled An act relating to the New Markets Development Program; amending s. 288.9914, F.S.; revising limits on tax credits that may be claimed by qualified community development entities under the program; amending s. 288.9915, F.S.; revising restrictions on a qualified community development entity's making of cash interest payments on certain long-term debt securities; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 231—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing certain parties to an interlocal agreement to conduct public meetings and workshops by means of communications media technology; providing notice requirements; providing a definition; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 331—A bill to be entitled An act relating to career and adult education; amending s. 1003.41, F.S.; requiring the Next Generation Sunshine State Standards to include financial literacy in the core curricular content of economics; amending s. 1003.42, F.S.; including the study of financial literacy in public school required instruction; amending ss. 1003.428 and 1003.429, F.S.; providing that the credit requirement in economics for high school graduation includes instruction in financial literacy; amending s. 1003.433, F.S., relating to learning opportunities for certain transfer students and students needing additional instruction to meet high school graduation requirements; deleting provisions that exempt adult general education

students from payment of tuition and fees; amending s. 1004.02, F.S.; revising definitions; replacing the term "vocational-preparatory" instruction with the term "applied academics for adult education" instruction with respect to adult general education; amending s. 1004.91, F.S.; conforming provisions relating to career education programs; deleting obsolete provisions; amending s. 1004.92, F.S.; authorizing district school boards and Florida College System institution boards of trustees to vary up to a specified percentage of intended learning outcomes of career education programs; amending s. 1004.93, F.S.; deleting lifelong learning courses or activities and recreational or leisure courses as priorities in the provision of adult education program academic services; requiring students entering adult general education programs to complete specified "Action Steps to Employment" activities; amending ss. 1007.263, 1007.271, 1008.37, 1009.22, and 1009.25, F.S.; conforming terminology to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1011—A bill to be entitled An act relating to warranty associations; amending s. 634.011, F.S.; revising the definition of the term "motor vehicle service agreement"; amending s. 634.121, F.S.; providing criteria for a motor vehicle service agreement company to effectuate refunds through the issuing salesperson or agent; requiring the salesperson, agent, or service agreement company to maintain a copy of certain documents; requiring a salesperson or agent to provide a copy of a document to the service agreement company if requested by the Department of Financial Services or the Office of Insurance Regulation; requiring the office to provide to the department findings that a salesperson or agent exhibits a pattern or practice of failing to effectuate refunds or to maintain and remit to the service agreement company the required documentation; amending s. 634.141, F.S.; authorizing rather than requiring the office to examine service agreement companies; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; creating s. 634.2855, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as motor vehicle service agreement companies; providing requirements for the deposit of the money; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.312, F.S.; authorizing a home warranty association to effectuate a refund through the issuing sales representative; amending s. 634.314, F.S.; authorizing rather than requiring the office to examine home warranty associations; limiting the examination period to the most recent 5 years; limiting the cost of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; creating s. 634.3385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as home warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; amending s. 634.414, F.S.; authorizing service warranty associations to effectuate refunds through the issuing sales representative; authorizing a service warranty association to issue refunds by cash, check, store credit, gift card, or other similar means; amending s. 634.416, F.S.; authorizing rather than requiring the office to examine service warranty associations; limiting the examination period to the most recent 5 years; limiting the costs of certain examinations; removing the requirement that the commission establish rules for conducting examinations; removing the criteria for determining whether an examination is warranted; removing provisions relating to the rates charged a to service warranty association for examinations; creating s. 634.4385, F.S.; authorizing a governmental entity, public agency, institution, person, firm, or legal entity to provide money to the department to pursue unauthorized entities operating as service warranty associations; providing that funds remaining at the end of any fiscal year shall be available for carrying out duties and responsibilities of the department or the office; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 1127—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; conforming cross-references; reducing to 2 percent from 6 percent the amount of the projected deficit in the coastal account for the prior calendar year which is recovered through regular assessments; requiring that remaining projected deficits in personal and commercial lines accounts be recovered through emergency assessments after accounting for the Citizens policyholder surcharge; requiring the Office of Insurance Regulation of the Financial Services Commission to notify assessable insurers and the Florida Surplus Lines Service Office of the dates assessable insurers shall collect and pay emergency assessments; removing reference to recoupment of residual market deficit assessments; requiring the board of governors to make a determination that an account has a projected deficit before it levies a Citizens policy holder surcharge; requiring that a limited apportionment company begin collecting regular assessments within 90 days and pay in full within 15 months after the assessment is levied; authorizing the Office of Insurance Regulation to assist the Citizens Property Insurance Corporation in the collection of assessments; replacing the term "market equalization surcharge" with the term "policyholder surcharge"; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 31—A bill to be entitled An act relating to protest activities; creating s. 871.015, F.S.; providing definitions; prohibiting engaging in protest activities within a specified distance of the property line of the location of a funeral, burial, or memorial service; providing criminal penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 347—A bill to be entitled An act relating to college credit for military training and education courses; creating s. 1004.096, F.S.; requiring the Board of Governors of the State University System and the State Board of Education to adopt regulations and rules, respectively, that enable United States Armed Forces servicemembers to earn college credit for college-level training and education acquired in the military; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 645—A bill to be entitled An act relating to public records; creating s. 626.84195, F.S.; providing an exemption from public records requirements for proprietary business information provided by title insurance agencies and insurers to the Office of Insurance Regulation; providing a definition; authorizing disclosure of aggregated information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 663—A bill to be entitled An act relating to solid waste management facilities; amending s. 403.707, F.S.; specifying a permit term for solid waste management facilities designed with leachate control systems that meet department requirements; providing applicability; specifying a permit term for solid waste management facilities that do not have leachate control systems meeting department requirements under certain conditions; authorizing the department to adopt rules; providing that the department is not required to submit the rules to the Environmental Regulation Commission for approval; requiring permit fee caps to be prorated; amending

s. 403.709, F.S.; creating a solid waste landfill closure account within the Solid Waste Management Trust Fund to fund the closing and long-term care of solid waste facilities under certain circumstances; requiring the department to deposit certain funds into the solid waste landfill closure account; amending s. 403.7125, F.S.; requiring the department to require by rule that owners or operators of solid waste management facilities receiving waste after October 9, 1993, provide financial assurance for the cost of completing certain corrective actions; providing an appropriation; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/HJR 1003** was temporarily postponed.

CS/HB 1165—A bill to be entitled An act relating to identification cards and driver licenses; amending s. 322.051, F.S., relating to identification cards; revising requirements for documentation verifying veteran status; providing for issuance of a replacement identification card with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; amending s. 322.14, F.S., relating to driver licenses; revising requirements for documentation verifying veteran status; providing for issuance of a replacement driver license with a designation indicating the holder is a veteran; requiring documentation of veteran status; providing for a fee and disposition of the fee; providing an exception to certain fees; providing an effective date.

—was read the second time by title.

Representative McBurney offered the following:

(Amendment Bar Code: 000313)

Amendment 1 (with title amendment)—Remove lines 38-58 and insert: applicant is not conducting any other transaction affecting the identification card, a replacement identification card may be issued with the capital "V" designation without payment of the fee required in s. 322.21(1)(f)3.

Section 2. Paragraph (c) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)

(c) A capital "V" shall be exhibited on the driver driver's license of a veteran upon the payment of an additional \$1 fee for the license and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense, or another acceptable form specified by the Department of Veterans' Affairs. Until a veteran's license is next renewed, the veteran may have the capital "V" designation added to his or her license upon surrender of his or her current license, payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund, and presentation of a copy of his or her DD Form 214 or another acceptable form specified by the Department of Veterans' Affairs. If the applicant is not conducting any other transaction affecting the driver license, a replacement license may be

TITLE AMENDMENT

Between lines 18 and 19, insert:

WHEREAS, it is the intent of the Legislature that a veteran not be charged more than \$2 for obtaining the "V" code designation on his or her driver license or identification card, and that an additional fee may not be charged for the designation if the veteran previously paid the designation fee, NOW, THEREFORE,

Rep. McBurney moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 401—A bill to be entitled An act relating to effect of dissolution or annulment of marriage on certain designations; creating s. 732.703, F.S.; providing definitions; providing that a designation made by or on behalf of a decedent providing for the payment or transfer at death of an interest in an asset to or for the benefit of the decedent's former spouse shall become void if the decedent's marriage was judicially dissolved or declared invalid before the decedent's death, if the designation was made prior to the dissolution or order; providing for disposition of assets; providing for treatment of certain retirement plans; specifying assets subject to provisions; providing exceptions; providing that payors are not liable for payments or transfers to beneficiaries contrary to this provision in certain circumstances; specifying the form of an affidavit that may be used to relieve a payor of liability for a transfer if the death certificate is silent as to the decedent's marital status at the time of death; providing that the payor is not liable for making any payment on account of, or transferring any interest in, certain types of assets to a beneficiary; providing that certain provisions apply notwithstanding the payor's knowledge that the person to whom the asset is transferred is different from the person who would own the interest due to the dissolution of the decedent's marriage or declaration of the marriage's validity before the decedent's death; providing that the provisions do not affect specified interests and rights; providing applicability; providing an effective date.

—was read the second time by title.

Representative Moraitis offered the following:

(Amendment Bar Code: 868711)

Amendment 1—Remove line 43 and insert:

means an asset described in subsection (3), except as provided in paragraph (4)(i).

Remove lines 130-134 and insert:
surviving coowner or coowners;

(i) If the decedent remarries the person whose interest would otherwise have been revoked under this section and the decedent and that person are married to one another at the time of the decedent's death; or

(i) To state-administered retirement plans under chapter 121.

Rep. Moraitis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HJR 169 was taken up, having been read the second time by title and temporarily postponed earlier today.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 357—A bill to be entitled An act relating to homestead exemptions for seniors; amending s. 196.075, F.S.; authorizing the board of county commissioners of any county or the governing authority of any municipality to adopt an ordinance granting an additional homestead tax exemption equal to a specified amount, or an additional homestead tax exemption equal to the assessed value of property with a just value lower than a specified amount, or both such exemptions, to an owner who has maintained permanent residency on the property or permanent residency on the property for a specified duration, who has attained age 65, and whose household income does not exceed a specified amount; providing definitions applicable to such additional exemption; providing applicability of requirements relating to the adoption of a local ordinance granting such exemption; amending s. 196.031, F.S.; conforming provisions to changes made by the act; reenacting s. 197.252(2)(a), F.S., relating to homestead tax deferral, to incorporate the amendments made to s. 196.075, F.S., in reference thereto; providing an appropriation; providing application; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 827—A bill to be entitled An act relating to limited agricultural associations; amending s. 604.14, F.S.; providing for the conversion of limited agricultural associations to corporations not for profit; conforming provisions; amending s. 617.0122, F.S.; specifying a fee for filing a limited agricultural association's certificate of conversion to a domestic corporation; creating s. 617.1809, F.S.; defining the term "limited agricultural association" for purposes of the act; providing procedures for conversion of a limited agricultural association to a domestic corporation not for profit; requiring the filing of a certificate of conversion and articles of incorporation with the Department of State; providing for the effective date of the conversion; providing that the conversion does not affect any obligation or liability of the association; providing that all rights, property, and obligations of the association are vested in the corporation; specifying that the association is not required to wind up its affairs or pay its liabilities and distribute its assets; providing for the association's approval before the certificate of conversion is filed; authorizing the association to provide a plan or other record of conversion; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1339—A bill to be entitled An act relating to envelopes used to conceal the voter's choices; amending s. 101.5603, F.S.; defining the term "security-enhanced envelope" for purposes of the Electronic Voting Systems Act; amending s. 101.6103, F.S.; revising mail ballot election procedures to include the use of a security-enhanced envelope; amending s. 101.6104, F.S.; making conforming changes to procedures for the challenge of votes; amending s. 101.64, F.S.; revising procedures for the delivery of absentee ballots to include the use of a security-enhanced envelope; amending s. 101.65, F.S.; making conforming changes to the instructions to absent electors; amending s. 101.68, F.S.; making conforming changes to the procedures for the canvassing of absentee ballots; amending s. 101.69, F.S.; making conforming changes to procedures for voting in person after returning an absentee ballot; amending s. 101.6921, F.S.; making conforming changes to procedures for the delivery of special absentee ballots to certain first-time voters; amending s. 101.6923, F.S.; making conforming changes to special absentee ballot instructions for certain first-time voters; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 1193—A bill to be entitled An act relating to public records; amending ss. 741.30 and 784.046, F.S.; providing exemptions from public records requirements for personal identifying and location information of victims of domestic violence, repeat violence, sexual violence, and dating violence held by the clerks and law enforcement agencies in conjunction with the automated process developed by the association by which a petitioner may request notification of service of an injunction for protection against domestic violence, repeat violence, sexual violence, or dating violence and other court actions related to the injunction for protection; providing that the exemption is conditional upon the petitioner's request; providing specified duration of the exemption; providing for access by state or federal agencies in furtherance of the agencies' statutory duties; providing that the clerk must inform the petitioner of the right to request that the identifying and location information be held exempt from public records requirements; providing for future legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 733—A bill to be entitled An act relating to probate; amending s. 731.201, F.S.; excluding real property owned in tenancy by the entireties or in joint tenancy with rights of survivorship from the definition of the term "protected homestead"; clarifying the application of amendments to s.

732.102, F.S., made by chapter 2011-183, Laws of Florida, relating to a spouse's share of an intestate estate; amending s. 732.401, F.S.; revising the period of time during which an attorney in fact or guardian of the property of a surviving spouse may petition for approval to elect to take a one-half interest in the decedent's homestead; specifying the minimum duration of an extension of time; creating s. 732.1081, F.S.; barring inheritance rights of a natural or adoptive parent whose parental rights have been previously terminated pursuant to law; providing for application of the act; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HJR 785—A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to authorize the imposition of term limits on county commissioners when provided by county charter.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 529** was temporarily postponed.

CS/CS/HB 667—A bill to be entitled An act relating to murder; providing a short title; amending s. 782.04, F.S.; providing that the unlawful killing of a human being when committed by a person engaged in the perpetration of, or in the attempt to perpetrate, the offense of aggravated fleeing or eluding with serious bodily injury or death is murder of a specified degree, dependent upon certain circumstances; amending s. 782.065, F.S.; requiring life imprisonment for defendants convicted of specified offenses where the victim is a correctional or correctional probation officer or a related type of officer; amending s. 921.0022, F.S.; revising provisions of the offense severity ranking chart of the Criminal Punishment Code to conform to changes made by the act; reenacting ss. 775.0823, 782.051, 782.065, and 947.146(3), F.S., relating to violent offenses committed against law enforcement officers and others, attempted felony murder, murder of a law enforcement officer, and the Control Release Authority, respectively, to incorporate the amendment made to s. 782.04, F.S., in references thereto; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 45—A bill to be entitled An act relating to postsecondary education course registration for veterans; creating s. 1004.075, F.S.; requiring certain Florida College System institutions and state universities to provide priority course registration for veterans; providing eligibility requirements; creating s. 1005.09, F.S.; encouraging certain independent postsecondary educational institutions to provide priority course registration for veterans; providing an effective date.

—was read the second time by title.

THE SPEAKER IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 171—A bill to be entitled An act relating to osteopathic physicians; amending s. 459.0055, F.S.; revising the requirements for licensure or certification as an osteopathic physician in this state; amending s. 459.021, F.S.; revising provisions relating to registration of physicians, interns, and fellows; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 463—A bill to be entitled An act relating to concealed weapons or firearms; creating s. 790.062, F.S.; providing that otherwise qualified members and veterans of the United States Armed Forces be issued a concealed weapon or firearm license regardless of age in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; amending s. 790.015, F.S.; providing that members and veterans of the United

States Armed Forces be granted reciprocity regardless of age; providing an effective date.

—was read the second time by title.

Representatives Kreegel, Broxson, Ingram, Ford, and Gaetz offered the following:

(Amendment Bar Code: 733733)

Amendment 1 (with title amendment)—Between lines 67 and 68, insert: Section 3. Subsection (1) of section 790.15, Florida Statutes, is amended to read

790.15 Discharging firearm in public or on residential property.—

(1) Except as provided in subsection (2) or subsection (3), any person who knowingly discharges a firearm in any public place or on the right-of-way of any paved public road, highway, or street, ~~who or who~~ who knowingly discharges any firearm over the right-of-way of any paved public road, highway, or street or over any occupied premises, or who recklessly or negligently discharges a firearm outdoors on any property used primarily as the site of a dwelling as defined in s. 776.013 or zoned exclusively for residential use commits ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This section does not apply to a person lawfully defending life or property or performing official duties requiring the discharge of a firearm or to a person discharging a firearm on public roads or properties expressly approved for hunting by the Fish and Wildlife Conservation Commission or Division of Forestry.

TITLE AMENDMENT

Remove lines 2-11 and insert:

An act relating to weapons or firearms; creating s. 790.062, F.S.; providing that otherwise qualified members and veterans of the United States Armed Forces be issued a concealed weapon or firearm license regardless of age in certain circumstances; providing additional methods for the taking of fingerprints from such license applicants; amending s. 790.015, F.S.; providing that members and veterans of the United States Armed Forces be granted reciprocity regardless of age; amending s. 790.15, F.S.; prohibiting reckless or negligent discharge of a firearm in certain locations; providing criminal penalties; providing an effective date.

Rep. Kreegel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 1001—A bill to be entitled An act relating to timeshares; amending s. 721.02, F.S.; revising purposes of the chapter to include the provision of certain disclosure; amending s. 721.05, F.S.; revising the definition of the term "resale service provider"; defining the terms "consumer resale timeshare interest," "consumer timeshare reseller," "resale broker," "resale brokerage services," "resale advertiser," and "resale advertising service"; amending s. 721.20, F.S.; deleting a provision requiring resale service providers to provide certain fee or cost and listing information to timeshare interest owners; creating s. 721.205, F.S.; specifying information a resale service provider must provide to the consumer timeshare reseller; prohibiting unlicensed resale service providers from engaging in certain activities; prohibiting certain services related to the offering of resale advertising by resale advertisers; providing certain restrictions on the offering of resale advertising services by resale advertisers; providing voidability of certain contracts; providing duties of a resale service provider; providing that the provision of resale advertising services in this state constitutes operating, conducting, engaging in, or carrying on a business or business venture for purposes relating to jurisdiction of the courts of this state; providing penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1305—A bill to be entitled An act relating to public records; creating s. 119.035, F.S.; declaring that it is the policy of this state that the provisions of ch. 119, F.S., apply to certain constitutional officers upon their election to public office; requiring that such officers adopt and implement reasonable measures to ensure compliance with the public records obligations set forth in ch. 119, F.S.; requiring that the public records of such officers be maintained in accordance with the policies and procedures of the public offices to which the officers have been elected; requiring that online and electronic communication and recordkeeping systems preserve the records on such systems so as to not impair the ability of the public to inspect or copy such public records; requiring that such officers, as soon as practicable upon taking the oath of office, deliver to the person or persons responsible for records and information management, all public records kept or received in the transaction of official business during the period following election to public office; defining the term "officer-elect" as used in the section; amending s. 286.011, F.S.; revising public meeting requirements to apply the requirements to meetings with or attended by newly elected members of boards and commissions; reenacting s. 112.3215(8)(b), F.S., relating to lobbying before the executive branch or the Constitution Revision Commission, to incorporate the amendment made to s. 286.011, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Representative Gaetz offered the following:

(Amendment Bar Code: 514241)

Amendment 1 (with title amendment)—Between lines 94 and 95, insert: Section 4. Paragraph (j) is added to subsection (1) of section 119.07, Florida Statutes, to read:

119.07 Inspection and copying of records; photographing public records; fees; exemptions.—

(1)

(j) There shall be no prohibition or restriction of any kind on the copying or use of a deposition transcript or recording which is a public record unless a statutory exemption exists.

TITLE AMENDMENT

Remove line 30 and insert:

286.011, F.S., in a reference thereto; amending s. 119.07, F.S.; prohibiting restrictions on use of deposition testimony; providing an

Rep. Gaetz moved the adoption of the amendment.

Point of Order

Rep. Lopez-Cantera raised a point of order under Rule 12.8, that the amendment was not germane. Subsequently, **Amendment 1** to **CS/HB 1305** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1277—A bill to be entitled An act relating to money services businesses; amending s. 560.103, F.S.; defining terms for purposes of provisions regulating money services businesses; amending s. 560.109, F.S.; revising the frequency and notice requirements for examinations and investigations by the Office of Financial Regulation of money services business licensees; amending s. 560.111, F.S.; prohibiting money services businesses, authorized vendors, and affiliated parties from knowingly possessing certain paraphernalia used or intended or designed for use in misrepresenting a customer's identity, for which penalties apply; prohibiting certain persons from providing a customer's personal identification information to a money services business licensee and providing penalties; reenacting s. 560.114(1)(h), F.S., relating to penalties for certain prohibited

acts by money services businesses, to incorporate amendments made by the act to s. 560.111, F.S., in a reference thereto; amending s. 560.114, F.S.; prohibiting certain acts by money services businesses, authorized vendors, and affiliated parties, for which penalties apply; revising the conditions for which a money services business license may be suspended; amending ss. 560.126 and 560.309, F.S.; requiring a money services business licensee to maintain its own federally insured depository account and deposit into the account any payment instruments cashed; requiring a licensee to notify the office and cease to cash payment instruments if the licensee ceases to maintain the account; prohibiting a licensee from accepting or cashing a payment instrument from a person who is not the original payee except under certain circumstances; establishing a limit on the amount of fees that licensees may charge for the direct costs of verification of payment instruments cashed; amending s. 560.310, F.S.; revising requirements for the records that a money services business licensee must maintain related to the payment instruments cashed; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/CS/HB 503—A bill to be entitled An act relating to environmental regulation; amending s. 125.022, F.S.; prohibiting a county from requiring an applicant to obtain a permit or approval from any state or federal agency as a condition of processing a development permit under certain conditions; authorizing a county to attach certain disclaimers to the issuance of a development permit; amending s. 161.041, F.S.; providing conditions under which the department is authorized to issue such permits in advance of the issuance of incidental take authorizations as provided under the Endangered Species Act; amending s. 166.033, F.S.; prohibiting a municipality from requiring an applicant to obtain a permit or approval from any state or federal agency as a condition of processing a development permit under certain conditions; authorizing a municipality to attach certain disclaimers to the issuance of a development permit; amending s. 218.075, F.S.; providing for the reduction or waiver of permit processing fees relating to projects that serve a public purpose for certain entities created by special act, local ordinance, or interlocal agreement; amending s. 258.397, F.S.; providing an exemption from a showing of extreme hardship relating to the sale, transfer, or lease of sovereignty submerged lands in the Biscayne Bay Aquatic Preserve for certain municipal applicants; amending s. 373.026, F.S.; requiring the department to expand its use of Internet-based self-certification services for exemptions and permits issued by the department and water management districts; amending s. 373.326, F.S.; exempting certain underground injection control wells from permitting requirements under part III of chapter 373, F.S., relating to regulation of wells; providing a requirement for the construction of such wells; amending s. 373.4141, F.S.; reducing the time within which a permit must be approved, denied, or subject to notice of proposed agency action; prohibiting a state agency or an agency of the state from requiring additional permits or approval from a local, state, or federal agency without explicit authority; amending s. 373.4144, F.S.; providing legislative intent with respect to the coordination of regulatory duties among specified state and federal agencies; encouraging expanded use of the state programmatic general permit or regional general permits; providing for a voluntary state programmatic general permit for certain dredge and fill activities; amending s. 376.3071, F.S.; increasing the priority ranking score for participation in the low-scored site initiative; exempting program deductibles, copayments, and certain assessment report requirements from expenditures under the low-scored site initiative; amending s. 376.30715, F.S.; providing that the transfer of a contaminated site from an owner to a child of the owner or corporate entity does not disqualify the site from the innocent victim petroleum storage system restoration financial assistance program; authorizing certain applicants to reapply for financial assistance; amending s. 380.0657, F.S.; authorizing expedited permitting for certain intermodal logistics centers; amending s. 403.061, F.S.; authorizing zones of discharges to groundwater for specified installations; providing for modification of such zones of discharge; providing that exceedance of certain groundwater standards does not create liability for site cleanup; providing that exceedance of soil cleanup target levels is not a basis for enforcement or cleanup; amending s. 403.087, F.S.;

revising conditions under which the department is authorized to revoke permits for sources of air and water pollution; amending s. 403.1838, F.S.; revising the definition of the term "financially disadvantaged small community" for the purposes of the Small Community Sewer Construction Assistance Act; amending s. 403.7045, F.S.; providing conditions under which sludge from an industrial waste treatment works is not solid waste; amending s. 403.706, F.S.; reducing the amount of recycled materials certain counties are required to apply toward state recycling goals; providing that certain renewable energy byproducts count toward state recycling goals; amending s. 403.707, F.S.; providing for waste-to-energy facilities to maximize acceptance and processing of nonhazardous solid and liquid waste; exempting the disposal of solid waste monitored by certain groundwater monitoring plans from specific authorization; specifying a permit term for solid waste management facilities designed with leachate control systems that meet department requirements; requiring permit fees to be adjusted; providing applicability; specifying a permit term for solid waste management facilities that do not have leachate control systems meeting department requirements under certain conditions; authorizing the department to adopt rules; providing that the department is not required to submit the rules to the Environmental Regulation Commission for approval; requiring permit fee caps to be prorated; amending s. 403.7125, F.S.; requiring the department to require by rule that owners or operators of solid waste management facilities receiving waste after October 9, 1993, provide financial assurance for the cost of completing certain corrective actions; amending s. 403.814, F.S.; providing for issuance of general permits for the construction, alteration, and maintenance of certain surface water management systems without the action of the department or a water management district; specifying conditions for the general permits; amending s. 403.853, F.S.; providing for the department, or a local county health department designated by the department, to perform sanitary surveys for certain transient noncommunity water systems; amending s. 403.973, F.S.; authorizing expedited permitting for certain commercial or industrial development projects that individually or collectively will create a minimum number of jobs; providing for a project-specific memorandum of agreement to apply to a project subject to expedited permitting; clarifying the authority of the department to enter final orders for the issuance of certain licenses; revising criteria for the review of certain sites; amending s. 526.203, F.S.; revising the definitions of the terms "blended gasoline" and "unblended gasoline"; defining the term "alternative fuel"; authorizing the sale of unblended gasoline for certain uses; providing that holders of valid permits or other authorizations are not required to make payments to authorizing agencies for use of certain extensions granted under chapter 2011-139, Laws of Florida; providing retroactive applicability and effect; providing an effective date.

—was read the second time by title.

Representative Patronis offered the following:

(Amendment Bar Code: 581991)

Amendment 1 (with title amendment)—Remove lines 243-257

TITLE AMENDMENT

Remove lines 24-28 and insert:
amending s. 373.026, F.S.;

Rep. Patronis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1013—A bill to be entitled An act relating to residential construction warranties; creating s. 553.835, F.S.; providing legislative findings; providing legislative intent to affirm the limitations to the doctrine or theory of implied warranty of fitness and merchantability or habitability

associated with the construction and sale of a new home; providing a definition; prohibiting a cause of action in law or equity based upon the doctrine or theory of implied warranty of fitness and merchantability or habitability for damages to offsite improvements; providing that the existing rights of purchasers of homes or homeowners' associations to pursue certain causes of action are not altered or limited; providing for applicability of the act; providing for severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 801—A bill to be entitled An act relating to emergency 911 service; amending s. 365.171, F.S.; providing an exception to certain confidentiality provisions for a 911 public safety telecommunicator when a confirmed coronary emergency call is taking place; amending s. 365.172, F.S.; increasing the membership of the E911 Board and revising the qualifications required for the members; requiring that a voice communications service provider, other than a wireless service provider, impose a fee based on the number of access lines to the E911 system and on the basis of certain access lines for each digital transmission link, up to a specified number of access lines per account bill rendered; revising the criteria that a local government may use in order to indemnify a local carrier; expanding the types of providers that may be indemnified and that are not liable for certain damages; revising cross-references; defining the term "911 or E911 service"; amending s. 401.2915, F.S.; providing for a person or entity in possession of an automated external defibrillator to notify the local public safety answering point regarding the location of the defibrillator; amending s. 427.706, F.S.; removing the requirement that the Florida Telephone Association recommend certain representatives to an advisory committee to the Public Service Commission; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 1:00 p.m., Thursday, February 23, 2012, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Dean Cannon, Speaker

I am directed to inform the House of Representatives that the Senate has passed HB 7051.

Debbie Brown, Secretary

The above bill was ordered enrolled.

Cosponsors

CS/HB 37—Hager

CS/HJR 55—Diaz

CS/HB 59—Jones

CS/CS/HB 117—Harrison

CS/CS/HB 135—Adkins

HB 273—Campbell, Rogers

CS/HB 463—Broxson, Ingram, T. Williams

HB 541—Porth

CS/HB 681—Gibbons, Nuñez

CS/HB 921—Adkins

CS/HB 945—T. Williams

CS/HB 947—Weinstein

CS/HB 977—T. Williams

CS/CS/HB 999—Ford, Kiar, Mayfield, T. Williams

CS/CS/HB 1009—Brandes

CS/HB 1059—Kiar, Smith, Tobia

HB 1083—Weinstein

CS/CS/HB 1115—Costello

CS/HB 1173—Gaetz, Weinstein

CS/CS/HB 1175—Coley

CS/CS/HB 1237—Brandes

HB 1303—Rouson

HR 1447—Berman

HB 7049—Holder

HR 9005—Porth

Introduction and Reference

By the Education Committee; Representative **Fresen**—

HB 7127—A bill to be entitled An act relating to school improvement and education accountability; amending s. 1001.42, F.S.; requiring a school improvement plan to include strategies for improving student achievement under certain circumstances; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1002.33, F.S.; revising provisions requiring a charter school to implement a school improvement plan to raise student achievement; revising corrective actions to be selected and implemented by a charter school; providing requirements for implementation of corrective actions and intervention and support strategies identified in a school improvement plan; providing for termination of a charter school not making continuous improvement unless it meets specified criteria; amending s. 1002.332, F.S.; conforming provisions; amending s. 1002.38, F.S.; revising provisions relating to eligibility for an opportunity scholarship; amending s. 1008.22, F.S.; revising provisions relating to the statewide student assessment program; providing that certain end-of-course assessments replace corresponding FCAT assessments; amending s. 1008.33, F.S.; revising provisions relating to the State Board of Education's authority to enforce public school improvement; requiring the state board to comply with the federal flexibility waiver approved by the United States Secretary of Education; requiring the Department of Education to annually identify each school in need of intervention and support to improve student academic performance, basing the need for intervention and support on school grades; providing requirements for state board rules for intervention and support strategies for school improvement; deleting department duties relating to the categorization of low-performing schools; providing state board, school district, and school requirements for implementing strategies and turnaround options to improve school performance; revising turnaround options available to a school district and requiring state board approval of the option selected for

implementation; providing certain exceptions; requiring the state board to adopt rules relating to plans for implementing turnaround options; amending s. 1008.34, F.S.; revising provisions relating to the school grading system; revising the contents of the annual report of the results of the statewide assessment program; revising certain criteria upon which school grades are based; revising the basis for calculating a school district's grade; amending ss. 1008.345, 1012.07, 1012.22, and 1012.2315, F.S.; conforming provisions; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative **Ingram**—

HR 9085—A resolution honoring and congratulating the 2010-2011 University of West Florida Argonauts Men's Baseball Team for winning the 2011 National Collegiate Athletic Association (NCAA) Division II Baseball National Championship.

First reading by publication (Art. III, s. 7, Florida Constitution).

By Representative **Hukill**—

HR 9087—A resolution recognizing February 23, 2012, as "Sickle Cell Awareness Day" in Florida.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Committee and Subcommittee Substitutes by Publication

By the Government Operations Appropriations Subcommittee; Representatives **T. Williams**, **Moraitis**, and **Van Zant**—

CS/HB 337—A bill to be entitled An act relating to public-private partnerships; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or upgrade of facilities by private entities which are used predominately for a public purpose; requiring public entities to develop and adopt guidelines governing procedures and criteria for the selection of projects and public-private agreements; providing procurement procedures; providing project-approval requirements; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between the public and private entities; providing for use fees; providing for private financing requirements; providing powers and duties for private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Representatives **Smith** and **Van Zant**—

CS/HB 813—A bill to be entitled An act relating to eligibility for temporary cash assistance and food assistance; amending s. 414.095, F.S.; prohibiting an individual convicted of a felony offense from receiving temporary cash assistance or food assistance under certain conditions; providing conditions under which a person with a felony conviction may resume receiving such assistance; providing for designation of an alternative payee under certain circumstances; amending ss. 409.2564, 409.902, 414.045, 414.0652, and 414.0655, F.S.; conforming cross-references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Appropriations Committee; and Government Operations Subcommittee; Representative **Smith**—

CS/CS/HB 1205—A bill to be entitled An act relating to the Drug-Free Workplace Act; amending s. 112.0455, F.S.; revising the definition of the term "job applicant"; defining the term "random testing"; removing the definition of the term "safety-sensitive position"; requiring drug testing to be conducted within each state agency's appropriation; authorizing a state agency to conduct random drug testing every 3 months; providing testing selection requirements; removing provisions prohibiting a state agency from discharging or disciplining an employee under certain circumstances based on the employee's first positive confirmed drug test; removing provisions limiting the circumstances under which an agency may discharge an employee in a special risk or safety-sensitive position; providing that an agency may discharge or discipline an employee following a first-time positive confirmed drug test result; authorizing an agency to refer an employee to an employee assistance program or an alcohol and drug rehabilitation program if the employee is not discharged; requiring participation in an employee assistance program or an alcohol and drug rehabilitation program at the employee's own expense; requiring the employer to determine if the employee is able to safely and effectively perform the job duties assigned to the employee while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; deeming that certain specified job activities cannot be performed safely and effectively while the employee is participating in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to transfer the employee to a job assignment that he or she can perform safely and effectively while the employee participates in the employee assistance program or alcohol and drug rehabilitation program; requiring the employer to place the employee on leave status while the employee is participating in an employee assistance program or an alcohol and drug rehabilitation program if such a position is unavailable; authorizing the employee to use accumulated leave credits before being placed on leave without pay; amending s. 440.102, F.S.; revising the definition of the term "job applicant" as it pertains to a public employer; removing the definition of the term "safety-sensitive position" and replacing it with the definition for the term "mandatory-testing position;" providing that an employer remains qualified for an insurer rate plan that discounts rates for workers' compensation and employer's liability insurance policies if the employer maintains a drug-free workplace program that is broader in scope than that provided for by the standards and procedures established in the act; authorizing a public employer, using an unbiased selection procedure, to conduct random drug tests of employees occupying mandatory-testing or special-risk positions if the testing is performed in accordance with drug-testing rules adopted by the Agency for Health Care Administration; requiring that a public sector employer assign a public sector employee to a position other than a mandatory-testing position if the employee enters an employee assistance program or drug rehabilitation program; removing provisions related to collective bargaining rights for nonfederal public sector employers; conforming cross-references; amending s. 944.474, F.S.; revising provisions governing employees of the state correctional system, to conform to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Rules & Calendar Committee; and Rulemaking & Regulation Subcommittee; Representative **Gaetz**—

CS/HB 7055—A bill to be entitled An act relating to administrative authority; providing legislative findings; providing legislative intent; amending s. 20.02, F.S.; clarifying the authority of the Governor; amending s. 20.03, F.S.; revising the definition of the terms "head of the department" and "secretary"; defining the term "to serve at the pleasure"; clarifying supervisory powers of appointing authority; amending s. 20.05, F.S., relating

to powers and duties of department heads; incorporating constitutional allocation of executive authority; creating s. 120.515, F.S.; declaring policy regarding executive authority with respect to the Administrative Procedure Act; amending s. 120.52, F.S.; revising the term "agency head" to clarify supervisory powers of the appointing authority; amending s. 11.242, F.S.; providing for removal of duplicative, redundant, or unused rulemaking authority as part of the reviser's bill process; repealing s. 14.34(3), F.S., relating to the Governor's Medal of Merit; repealing rulemaking authority; amending s. 15.16, F.S.; deleting authority of the Department of State to adopt rules relating to the issuance of apostilles; repealing s. 15.18(7), F.S., relating to international and cultural relations; repealing rulemaking authority of the Secretary of State with respect to entering into contracts that are primarily for promotional services and events; amending s. 16.60, F.S.; deleting authority of the Attorney General to adopt rules relating to mediation proceedings; repealing s. 17.0416(2), F.S., relating to the authority to provide services on a fee basis; repealing rulemaking authority of the Department of Financial Services with respect thereto; repealing s. 17.59(3), F.S., relating to safekeeping services; repealing rulemaking authority of the Chief Financial Officer for the proper management and maintenance of the collateral management service; repealing s. 25.371, F.S., relating to the effect of rules adopted by the Supreme Court on statutory provisions; repealing s. 28.43, F.S., relating to the adoption of rules in relation to ss. 28.35, 28.36, and 28.37, relating to duties of the Florida Clerks of Court Operations Corporation and clerks of the court; repealing s. 35.07, F.S., relating to power of the district courts of appeal to make rules and regulations; repealing s. 39.001(11), F.S., relating to rulemaking authority of Executive Office of the Governor with respect to the protection of children under chapter 39; amending s. 39.0137, F.S.; deleting rulemaking authority of the Department of Children and Family Services with respect to enforcement of the federal Indian Child Welfare Act and federal Multi-Ethnic Placement Act of 1994; repealing s. 39.824(1), F.S.; repealing a provision requesting the Supreme Court to adopt rules of juvenile procedure for purposes of pt. XI, ch. 39, relating to guardians ad litem and guardian advocates; amending s. 63.167, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to the establishment and operation of the state adoption information center; repealing s. 88.9051, F.S., relating to authority of the Department of Revenue to adopt rules to implement the Uniform Interstate Family Support Act; amending ss. 97.026, 97.0555, and 97.061, F.S.; repealing rulemaking authority of the Department of State under the Election Code; repealing s. 101.56062(3), F.S.; repealing rulemaking authority of the department relating to standards for accessible voting systems; amending ss. 103.101 and 106.165, F.S.; repealing rulemaking authority of the department relating to conduct of the presidential preference primary and use of closed captioning and descriptive narrative in television broadcasts; amending s. 110.1055, F.S., relating to rulemaking authority of the Department of Management Services with respect to chapter 110, relating to state employment; deleting obsolete language; repealing s. 110.1099(5), F.S.; repealing rulemaking authority of the department relating to education and training opportunities for state employees; repealing s. 110.1228(7), F.S.; repealing rulemaking authority of the department relating to participation in the state group health insurance and prescription drug coverage programs by small counties, small municipalities, and district school boards located in small counties; amending s. 110.12301, F.S.; repealing rulemaking authority of the department relating to dependent eligibility verification services for the state group insurance program; repealing s. 112.1915(4), F.S.; repealing rulemaking authority of the State Board of Education relating to death benefits for teachers and school administrators; amending s. 118.12, F.S.; repealing rulemaking authority of the Department of Revenue relating to certification of a civil-law notary's authority; repealing s. 121.085(1), F.S.; repealing authority of the Department of Management Services relating to submission of information necessary to establish a member's claim of creditable service under the Florida Retirement System; repealing s. 121.1001(4)(b), F.S.; repealing rulemaking authority of the Division of Retirement relating to administration of the Florida Retirement System Preservation of Benefits Plan; repealing s. 121.4503(3), F.S.; repealing rulemaking authority of the Department of Management Services relating to the Florida Retirement System Contributions Clearing Trust Fund; amending

s. 121.5911, F.S.; deleting rulemaking authority of the department relating to maintaining the qualified status of the disability retirement program and the Florida Retirement System Pension Plan; repealing s. 125.902(4), F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to children's services council or juvenile welfare board incentive grants; repealing s. 154.503(4), F.S.; repealing rulemaking authority of the Department of Health relating to the Primary Care for Children and Families Challenge Grant Program; amending s. 159.8081, F.S.; repealing rulemaking authority of the Department of Economic Opportunity relating to the manufacturing facility bond pool; amending s. 159.8083, F.S.; repealing rulemaking authority of the department relating to the Florida First Business allocation pool; repealing s. 159.825(3), F.S.; repealing rulemaking authority of the State Board of Administration relating to terms of bonds; repealing s. 161.75, F.S.; repealing rulemaking authority of the Department of Environmental Regulation and the Fish and Wildlife Conservation Commission relating to the Oceans and Coastal Resources Act; repealing s. 163.462, F.S.; repealing rulemaking authority of the Department of Community Affairs relating to the Community Redevelopment Act of 1969; repealing s. 163.517(6), F.S.; repealing rulemaking authority of the Department of Legal Affairs relating to the Safe Neighborhoods Program; repealing s. 175.341(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to firefighter pensions; repealing s. 177.504(2)(e), F.S.; repealing rulemaking authority of the Department of Environmental Protection relating to the Florida Public Land Survey Restoration and Perpetuation Act; repealing s. 185.23(2), F.S.; repealing rulemaking authority of the Division of Retirement relating to municipal police pensions; repealing s. 255.25001(2), F.S.; repealing rulemaking authority of the Department of Management Services relating to determining whether a lease-purchase of a state-owned office building is in the best interests of the state; repealing s. 257.34(7), F.S.; repealing rulemaking authority of the Division of Library and Information Services of the Department of State relating to the Florida International Archive and Repository; repealing s. 364.0135(6), F.S.; repealing rulemaking authority of the Department of Management Services relating to the promotion of broadband adoption; amending s. 366.85, F.S.; repealing rulemaking authority of the Division of Consumer Services of the Department of Agriculture and Consumer Services relating to the Florida Energy Efficiency and Conservation Act; repealing s. 409.5092, F.S.; repealing rulemaking authority of the Department of Children and Family Services relating to permission for weatherization; amending s. 411.01, F.S.; limiting rulemaking authority of the Office of Early Learning relating to school readiness programs and early learning coalitions; repealing s. 411.01013(7), F.S.; repealing rulemaking authority of the office relating to the prevailing market rate schedule; repealing s. 411.0103(3), F.S.; repealing rulemaking authority of the office relating to the Teacher Education and Compensation Helps (TEACH) scholarship program; repealing s. 411.0104(3), F.S.; repealing rulemaking authority of the office relating to Early Head Start collaboration grants; amending s. 501.142, F.S.; repealing rulemaking authority of the Department of Agriculture and Consumer Services relating to retail sales establishments and authority to sanction violations of such rules; amending s. 985.682, F.S.; conforming a cross-reference; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/CS/HB 363—Referred to the Health & Human Services Committee.

CS/CS/CS/HB 1261—Referred to the State Affairs Committee.

CS/CS/HB 1403—Referred to the Education Committee.

CS/HB 7119—Referred to the Calendar of the House.

House Resolutions Adopted by Publication

At the request of Rep. Campbell—

HR 9057—A resolution celebrating Haitians and Haitian Americans for their 208 years of rich and moving history.

WHEREAS, January 2012 marks 208 years since Haiti abolished European enslavement, the Triangular Trade, forced assimilation/ethnic cleansing, and direct colonialism and became an independent black nation, and

WHEREAS, Haiti was the first independent nation in Latin America, the first post-colonial independent black-led nation in the world, and the only nation whose independence was gained as part of a successful slave rebellion, and

WHEREAS, the outbreak of revolution in France in the summer of 1789 had a powerful effect on the colony of Saint-Domingue, which would later become the independent nation of Haiti, and

WHEREAS, while the French settlers debated how new revolutionary laws would apply to Saint-Domingue, outright civil war broke out in 1790 when the free men of color claimed they too were French citizens under the terms of the Declaration of the Rights of Man and of the Citizen, and

WHEREAS, the Haitian Revolution took place from 1791 to 1804 and was a period of conflict in the French colony of Saint-Domingue, marked with bloody slave rebellions against the French colonists and the French establishing a system of minority rule over the illiterate poor by using violence and threats, and

WHEREAS, in 1804, Jean-Jacques Dessalines, leader of the Haitian Revolution, declared Haiti a free republic, and

WHEREAS, since the assassination of Haiti's founding father, Jean-Jacques Dessalines, in 1806, just 2 years after its independence, Haiti has been struggling against neocolonialism, and

WHEREAS, the Haitian Revolution successfully achieved permanent independence from a European colonial power for an American state before the 19th century and is generally considered the most successful slave rebellion ever to have occurred in the Americas and a defining moment in the history of Africans in the New World, and

WHEREAS, more than one-third of Haitians in the United States call Florida their home and play an integral role in stimulating economic activity, increasing cultural diversity and awareness, and providing vital services to those in need, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the citizens of Haiti and Haitian Americans are celebrated for their 208 years of rich and moving history.

—was read and adopted by publication pursuant to Rule 10.17.

At the request of Rep. Hukill—

HR 9059—A resolution recognizing November 12-18, 2012, as "Spinal Cord Injury Awareness Week" in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the "information superhighway" of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and loss of muscle control, and

WHEREAS, currently there are approximately 262,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 12,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 25 percent of all injuries occurring between the ages of 17 and 23, and 56 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and nearly 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, acts of violence, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from \$240,000 to \$830,000 the first year after injury, with an estimated lifetime cost ranging between \$529,000 and \$3.3 million depending on the severity of injury, and

WHEREAS, in the past 18 years, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 12-18, 2012, working with local governments and schools to educate Floridians about the causes of and treatments for spinal cord injuries, as well as informing the public on how to prevent these injuries from taking place, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That November 12-18, 2012, is recognized as "Spinal Cord Injury Awareness Week" in the State of Florida.

—was read and adopted by publication pursuant to Rule 10.17.

Reports of Standing Committees and Subcommittees

Received February 21:

The Appropriations Committee reported the following favorably:
CS/CS/HB 937

The above committee substitute was placed on the Calendar of the House.

The Appropriations Committee reported the following favorably:
CS/CS/HB 1343

The above committee substitute was placed on the Calendar of the House.

Received February 22:

The State Affairs Committee reported the following favorably:
HB 13

The above bill was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
CS/HB 133

The above committee substitute was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
CS/CS/HB 181

The above committee substitute was placed on the Calendar of the House.

The Government Operations Appropriations Subcommittee reported the following favorably:

HB 337 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 337 was laid on the table.

The State Affairs Committee reported the following favorably:
HB 745

The above bill was transmitted to the next committee or subcommittee of reference, the Rules & Calendar Committee.

The Health & Human Services Committee reported the following favorably:

HB 813 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 813 was laid on the table.

The State Affairs Committee reported the following favorably:
CS/HB 945

The above committee substitute was placed on the Calendar of the House.

The Economic Affairs Committee reported the following favorably:
CS/HB 1033

The above committee substitute was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
CS/HB 1117

The above committee substitute was placed on the Calendar of the House.

The Appropriations Committee reported the following favorably:
CS/HB 1205 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 1205 was laid on the table.

The Economic Affairs Committee reported the following favorably:
CS/HB 1211

The above committee substitute was placed on the Calendar of the House.

The Economic Affairs Committee reported the following favorably:
CS/HB 1253

The above committee substitute was placed on the Calendar of the House.

The Economic Affairs Committee reported the following favorably:
CS/CS/HB 1299

The above committee substitute was placed on the Calendar of the House.

The Economic Affairs Committee reported the following favorably:
CS/CS/HB 1319

The above committee substitute was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
CS/CS/HB 1383

The above committee substitute was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
CS/HB 1417

The above committee substitute was placed on the Calendar of the House.

The State Affairs Committee reported the following favorably:
HB 1479

The above bill was placed on the Calendar of the House.

The Economic Affairs Committee reported the following favorably:
CS/HB 1495

The above committee substitute was placed on the Calendar of the House.

The Rules & Calendar Committee reported the following favorably:
HB 7055 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 7055 was laid on the table.

Excused

Rep. Snyder after 4:01 p.m., T. Williams

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 4:59 p.m., to reconvene at 1:00 p.m., Thursday, February 23, 2012, or upon call of the Chair.

Pages and Messengers for the week of February 20-24

Pages—Emily Adkins, Fernandina Beach; Maddie Aubuchon, Cape Coral; Nic Barrett, Tallahassee; Kaela Carpenter, Gulf Breeze; Gabe Cendella, Tallahassee; Davis Chiaramonte, Tampa; Arie Fry, Plant City; Chris Glorioso, Plant City; Gabrielle Goldin, Bradenton; Hannah Heflin, Tallahassee; Cullen Honohan, Winter Park; Josh Jacobs, Davie; Ashley Jordan, Orlando; Will Jordan, Orlando; Chad Kendall, St. Augustine; Serena LeMand, Winter Park; Elizabeth Lopez, Jacksonville; Jared Nussbaum, Framingham, Massachusetts; Sam Precourt, Orlando; Reagan Scheck, Winter Haven.

Messengers—Chase Bowman, Lighthouse Point; John Campbell, Tallahassee; Lindsey Carpenter, Gulf Breeze; Anthony Cilluffo, Trinity; Rebekah Giordano, New Port Richey; Zoe Higginson, Fort Myers; Reneé Jones, Quincy; Sydney Lang, Palmetto; Jeffrey Nunes, Pompano Beach; Heather Precourt, Orlando; Ron Renaut, Ponte Vedra Beach; J. W. Scheck, Winter Haven; Tiffani Schmidt, Carrabelle; Josh Schneirov, Plantation; Justin Seaman, Palm City.

CHAMBER ACTIONS ON BILLS

Wednesday, February 22, 2012

CS/CS/HB	15 — Read 2nd time; Placed on 3rd reading	CS/HB	479 — Read 2nd time; Placed on 3rd reading
CS/HB	31 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/CS/ HB	503 — Read 2nd time; Amendment 581991 adopted; Placed on 3rd reading
CS/HB	45 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	521 — Read 2nd time; Placed on 3rd reading
CS/HJR	55 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	529 — Temporarily postponed, on 2nd Reading
CS/HB	59 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	549 — Read 2nd time; Amendment 638611 adopted; Placed on 3rd reading
CS/CS/HB	99 — Read 2nd time; Amendment 780657 adopted; Placed on 3rd reading	CS/CS/HB	565 — Read 2nd time; Amendment 607357 adopted; Placed on 3rd reading
CS/CS/HB	135 — Read 2nd time; Placed on 3rd reading	CS/CS/CS/HB	599 — Read 2nd time; Amendment 221877 adopted; Amendment 167157 adopted; Amendment 253955 adopted; Placed on 3rd reading
CS/HJR	169 — Read 2nd time; Placed on 3rd reading	CS/HB	621 — Read 2nd time; Placed on 3rd reading
CS/HB	171 — Read 2nd time; Placed on 3rd reading	CS/HB	639 — Read 2nd time; Placed on 3rd reading
HB	221 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	645 — Read 2nd time; Placed on 3rd reading
HB	231 — Read 2nd time; Placed on 3rd reading	CS/HB	655 — Read 2nd time; Placed on 3rd reading
CS/HB	249 — Read 2nd time; Amendment 450427 adopted; Placed on 3rd reading	CS/CS/HB	663 — Read 2nd time; Placed on 3rd reading
CS/HB	289 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	667 — Read 2nd time; Placed on 3rd reading
CS/HB	291 — Read 2nd time; Amendment 714285 adopted; Placed on 3rd reading	CS/HB	691 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	313 — Read 2nd time; Placed on 3rd reading	CS/HB	715 — Read 2nd time; Placed on 3rd reading
HB	331 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	729 — Read 2nd time; Placed on 3rd reading
HB	347 — Read 2nd time; Placed on 3rd reading	HB	733 — Read 2nd time; Placed on 3rd reading
CS/HB	357 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	749 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	373 — Read 2nd time; Amendment 586519 adopted; Amendment 100885 adopted; Placed on 3rd reading	CS/HJR	785 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	379 — Read 2nd time; Amendment 634279 adopted; Amendment 534865 adopted; Amendment 089525 adopted; Amendment 813789 adopted; Amendment 271209 adopted; Amendment 138831 adopted; Placed on 3rd reading	CS/CS/HB	787 — Read 2nd time; Placed on 3rd reading
HB	393 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	801 — Read 2nd time; Placed on 3rd reading
CS/HB	401 — Read 2nd time; Amendment 868711 adopted; Placed on 3rd reading	CS/HB	809 — Read 2nd time; Amendment 372887 adopted; Placed on 3rd reading
CS/HB	409 — Read 2nd time; Placed on 3rd reading	CS/HB	827 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	449 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	887 — Read 2nd time; Amendment 480355 adopted; Amendment 608625 adopted; Amendment 322959 adopted; Placed on 3rd reading
CS/HB	463 — Read 2nd time; Amendment 733733 adopted; Placed on 3rd reading	CS/CS/HB	897 — Read 2nd time; Amendment 500099 adopted; Placed on 3rd reading
CS/HB	465 — Read 2nd time; Placed on 3rd reading	CS/HB	935 — Read 2nd time; Placed on 3rd reading
		CS/CS/CS/HB	943 — Read 2nd time; Placed on 3rd reading

CS/CS/CS/HB	1001 — Read 2nd time; Placed on 3rd reading	HB	1491 — Read 2nd time; Placed on 3rd reading
CS/HJR	1003 — Temporarily postponed, on 2nd Reading	HB	4123 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1009 — Read 2nd time; Placed on 3rd reading	HB	4125 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1011 — Read 2nd time; Placed on 3rd reading	HB	4133 — Read 2nd time; Placed on 3rd reading
CS/HB	1013 — Read 2nd time; Placed on 3rd reading	HB	4155 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1065 — Read 2nd time; Placed on 3rd reading	HB	4157 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1089 — Read 2nd time; Amendment 896455 adopted; Amendment 210227 adopted; Placed on 3rd reading	HB	7015 — Read 2nd time; Placed on 3rd reading
		HB	7017 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1119 — Read 2nd time; Placed on 3rd reading	CS/HB	7025 — Read 2nd time; Placed on 3rd reading
HB	1127 — Read 2nd time; Placed on 3rd reading	HB	7033 — Read 2nd time; Placed on 3rd reading
CS/HB	1165 — Read 2nd time; Amendment 000313 adopted; Placed on 3rd reading	HB	7035 — Read 2nd time; Placed on 3rd reading
		HB	7037 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1175 — Read 3rd time; Amendment 732803 adopted; CS passed as amended; YEAS 118, NAYS 0	CS/HB	7039 — Read 2nd time; Amendment 854973 adopted; Amendment 134587 adopted; Amendment 078935 adopted; Placed on 3rd reading
HB	1177 — Read 2nd time; Placed on 3rd reading		
CS/CS/HB	1193 — Read 2nd time; Placed on 3rd reading	CS/HB	7043 — Read 2nd time; Placed on 3rd reading
CS/HB	1197 — Read 2nd time; Amendment 312697 adopted; Amendment 655691 adopted; Amendment 597461 adopted; Placed on 3rd reading	HB	7049 — Read 2nd time; Placed on 3rd reading
		CS/CS/HB	7065 — Read 2nd time; Placed on 3rd reading
CS/HB	1227 — Read 2nd time; Placed on 3rd reading	CS/HB	7069 — Read 2nd time; Amendment 814129 adopted; Placed on 3rd reading
CS/CS/HB	1229 — Read 2nd time; Amendment 308299 adopted; Amendment 042445 adopted; Placed on 3rd reading	HB	7075 — Read 2nd time; Placed on 3rd reading
		CS/HB	7079 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1237 — Read 2nd time; Placed on 3rd reading	CS/HB	7095 — Read 2nd time; Placed on 3rd reading
HB	1239 — Read 2nd time; Placed on 3rd reading	CS/HB	7099 — Read 2nd time; Amendment 839637 adopted; Amendment 896811 adopted; Placed on 3rd reading
CS/HB	1277 — Read 2nd time; Placed on 3rd reading		
CS/HB	1287 — Read 2nd time; Placed on 3rd reading	HB	7103 — Read 2nd time; Placed on 3rd reading
CS/HB	1305 — Read 2nd time; Placed on 3rd reading	HB	7105 — Read 2nd time; Placed on 3rd reading
CS/HB	1331 — Read 2nd time; Placed on 3rd reading	HB	7107 — Read 2nd time; Placed on 3rd reading
CS/HB	1339 — Read 2nd time; Placed on 3rd reading	HB	7109 — Read 2nd time; Placed on 3rd reading
CS/HB	1357 — Read 2nd time; Placed on 3rd reading	HB	7113 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1379 — Read 2nd time; Placed on 3rd reading	CS/HB	7115 — Read 2nd time; Placed on 3rd reading
CS/CS/HB	1443 — Read 2nd time; Amendment 624289 adopted; Placed on 3rd reading		

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